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Honolulu, Hawaii

APR 23 , 2021

RE: H.B. No. 1376
H.D. 2
S.D. 2
C.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1376, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to provide a fair and balanced procedure for landlords and tenants to seek rental assistance and mediate and negotiate resolutions before landlords evict tenants. Specifically, this measure:

- (1) Extends from five business days to fifteen calendar days the period for a notice of termination of a lease agreement for failure to pay rent;



- (2) Requires landlords to include certain content in the fifteen-calendar day notice;
- (3) Requires landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule a mediation;
- (4) Restricts when landlords may exercise remedies based on the number of days that have elapsed following the expiration of the Governor's final eviction moratorium and the amount of rent due;
- (5) Provides for the expungement and sealing of court records of eviction judgments for failure to pay rent that are entered during the one-year period following the expiration of the Governor's final eviction moratorium; and
- (6) Repeals the amendments made to the Residential Landlord-Tenant Code one year after the expiration of the Governor's final eviction moratorium.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the notice is to contain a statement that the mediation center will confirm the scheduled date and time of the mediation with the tenant and landlord;
- (2) Limiting the remedies a landlord may seek for a tenant's failure to pay rent to a summary proceeding for possession;
- (3) Allowing landlords to bring summary proceedings for possession beginning on the first day, rather than the third day, after the expiration date of the Governor's final eviction moratorium;
- (4) Deleting language that provided for the expungement and sealing of court records of eviction judgments;
- (5) Inserting appropriations to the counties from federal funds received pursuant to the American Rescue Plan Act of 2021 to contract for services permitted by this measure related to emergency rental assistance;



- (6) Changing the effective date to upon approval;
- (7) Specifying that the amendments to the Residential Landlord-Tenant Code made by this measure are to be repealed on December 31, 2022, or upon the one year anniversary of the expiration date of the final eviction moratorium identified by the Governor, whichever is sooner; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1376, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1376, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



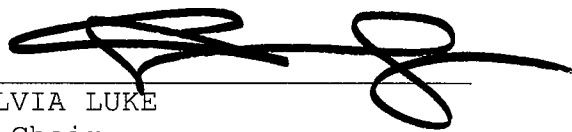
ROSALYN H. BAXTER
Chair



AARON LING JDHANSON
Co-Chair



J. KALANI ENGLISH
Co-Chair



SYLVIA LUKE
Co-Chair

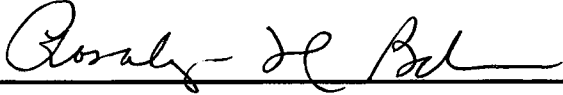



KARL RHOADS
Co-Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

CCR 163

Bill / Concurrent Resolution No.: HB 1376, HD 2, SD 2					Date/Time: 4/21/21 4:17 PM				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				JOHANSON, Aaron Ling, Co-Chr.	✓			
ENGLISH, J. Kalani, Co-Chr.	✓				LUKE, Sylvia, Co-Chr.	✓			
RHOADS, Karl, Co-Chr.				✓	MATSUMOTO, Lauren	✓			
TOTAL	2	-	-	1	TOTAL	3	-	-	-
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution:		Original	Yellow	Pink	Goldenrod				
		File with Conference Committee Report	House Clerk's Office	Senate Clerk's Office	Drafting Agency				