

STAND. COM. REP. NO.

1543

Honolulu, Hawaii

APR 07 2021

RE: H.B. No. 391
H.D. 3
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 391, H.D. 3, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a process for the early termination of a rental agreement for certain active duty servicemembers who receive military orders to vacate civilian housing and move into on-post government quarters or die while serving on active duty.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that a servicemember who becomes divorced, no longer has dependents, or does not have physical custody of children may lose their housing allowance. In such an event, the servicemember is required to move into barracks, regardless of any valid lease to which they are a party. Your Committee further finds that this measure will help to ensure that servicemembers will not have to face evictions or serious financial hardship if they are no longer eligible for a basic



housing allowance and need to terminate a residential lease for off-post housing.

Your Committee has amended this measure by:

- (1) Clarifying that the written notice of early termination of a rental agreement is required to be accompanied by written proof that a servicemember tenant's request to maintain their housing allowance has been denied and either a copy of official military orders or a written verification signed by the servicemember tenant's commanding officer;
- (2) Inserting an effective date of November 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 391, H.D. 3, S.D. 2.

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



KARL RHOADS, Chair



