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December 17, 2025

Via electronic submission

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Nadine K. Nakamura
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Nakamura:

Pursuant to Senate Concurrent Resolution No. 123, S.D. 1, H.D. 1, Session Laws of Hawaii'i 2025, the Judiciary is transmitting a copy of the *Report of the Landlord-Tenant Code Working Group*.

In accordance with Section 93-16, Hawaii'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Affairs and Special Projects Division at (808) 539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

Brandon M Kimura

Brandon M. Kimura
Administrative Director of the Courts

Attachment

c: Legislative Reference Bureau Library

**REPORT TO THE THIRTY-THIRD LEGISLATURE
2026 REGULAR SESSION**

**Report of the Landlord-Tenant
Working Group**

Pursuant to

**Senate Concurrent Resolution No. 123, S.D. 1, H.D. 1
Session Laws of Hawai'i 2025**

Prepared by:

The Landlord-Tenant Working Group

December 2025

The Landlord-Tenant Working Group (“Working Group”) was established pursuant to Senate Concurrent Resolution No. 123, S.D.1, H.D.1 (2025) (“SCR 123”), a copy of which is attached to this report as Exhibit 1. The Working Group was tasked with reviewing the residential landlord-tenant code and addressing other housing issues, including:

- 1) Conducting a comprehensive review of the Residential Landlord-Tenant Code to determine if any amendments or updates are necessary;
- 2) Reviewing existing mechanisms available to landlords and tenants for the enforcement of rights under the Residential Landlord-Tenant Code;
- 3) Determining problem areas that impact property managers, tenants, and property owners and whether educational resources or other solutions can help address those challenges;
- 4) Considering the feasibility of statutory processes through which injunctive relief might be obtained; and
- 5) Exploring any other feasible ideas or relevant solutions, pursuant to the discretion of the working group.

SCR 123 requested that the Working Group membership be comprised of:

- (1) The Chief Justice of the Hawai'i Supreme Court, or their designee, who is requested to serve as the chairperson of the working group;
- (2) The President of the Senate, or their designee;
- (3) The Speaker of the House of Representatives, or their designee;
- (4) The Attorney General, or their designee;
- (5) The Executive Director of the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, or their designee;
- (6) An attorney specializing in landlord-tenant laws, to be invited by the chairperson;
- (7) One individual who owns rental property in the state that they are managing personally, but who is not a real estate licensee, to be invited by the chairperson;
- (8) Two members from organizations representing professional property managers--one to be invited by the President of the Senate or the President's designee and one to be invited by the Speaker of the House of Representatives or the Speaker's designee;

- (9) Two members from organizations representing tenant concerns--one to be invited by the President of the Senate or the President's designee and one to be invited by the Speaker of the House of Representatives or the Speaker's designee; and
- (10) Any other member deemed necessary that provides the appropriate special expertise, including representatives from organizations with experience in landlord or tenant issues, upon approval by the chairperson.

The Working Group members are:

- Judge Melanie May, Deputy Chief Judge, District Court of the First Circuit, Chair (designated by the Chief Justice);
- David Chee, Attorney at Law (designated by the Chairperson);
- Christopher M. Dunn, Deputy Chief Judge, District Court of the Second Circuit (designated by the Chairperson);
- Allen Fahrni, Principal Broker and Property Manager, Fahrni Realty, Inc. (designated by the House Speaker);
- Lyndsey Garcia, Director of Advocacy, Hawai'i Association of Realtors (designated by the Senate President);
- Troy N. Hashimoto, Senator (Vice Chair, Senate Committee on Housing) (designated by the Senate President);
- Roberta Hickey-Gomez, Special Programs Innovator, Mediation Center of the Pacific (designated by the Chairperson);
- Michelle K. Laubach, Deputy Chief Judge, District Court of the Third Circuit (designated by the Chairperson);
- Anne E. Lopez, Attorney General, State of Hawai'i
- Scot Z. Matayoshi, Representative (Chair, House Committee on Consumer Protection and Commerce) (designated by House Speaker);
- Mana Moriarty, Executive Director, Office of Consumer Protection, Department of Commerce and Consumer Affairs;
- Shellie K. Park-Hoapili, District Court Judge, District Court of the First Circuit (designated by the Chairperson);
- Alicia Pitts, Honolulu Consumer and Housing Managing Attorney, Legal Aid Society of Hawai'i (designated by the Senate President);
- Michael K. Soong, Deputy Chief Judge, District Court of the Fifth Circuit (designated by the Chairperson);
- Will White, Executive Director, Hawai'i Appleseed Center for Law and Economic Justice (designated by the House Speaker).

The Chair has solicited suggestions from the working group to fulfill the legislature's request that the working group include a member who owns rental property in the state that they are managing personally, but who is not a real estate licensee.

The Working Group met on July 1, 2025, October 30, 2025, and November 20, 2025. The Working Group's review of the Residential Landlord-Tenant Code is underway, beginning with a review and discussion of the respective rights and responsibilities of landlords and tenants. The Working Group has also begun to collect information from members regarding existing resources available to landlords and tenants for a potential resource page for the public.

SENATE CONCURRENT RESOLUTION

REQUESTING THE JUDICIARY TO CONVENE A WORKING GROUP TO REVIEW THE RESIDENTIAL LANDLORD-TENANT CODE TO DETERMINE IF ANY AMENDMENTS OR UPDATES ARE NECESSARY TO IMPROVE LANDLORD-TENANT INTERACTIONS AND ADDRESS OTHER HOUSING ISSUES.

1 WHEREAS, rental housing is a vital source of housing for
2 many working families, residents, and locals in Hawaii, with
3 38.2 percent of Hawaii residents living as renters, according to
4 the Economic Research Organization at the University of Hawaii's
5 2024 Hawaii Housing Factbook; and

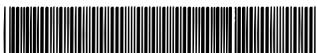
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7 WHEREAS, landlord-tenant relationships are governed by
8 various state and federal laws, requiring clear understanding
9 and compliance to ensure fair and equitable treatment for
10 tenants and housing providers alike; and

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12 WHEREAS, the increasing complexity of these laws and
13 navigating the court process can create difficulties for tenants
14 and housing providers; and

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16 WHEREAS, clarifying landlord-tenant laws will reduce the
17 number of cases that are brought to court, thus alleviating the
18 burden placed on the judicial system; and

19
20 WHEREAS, making improvements to the landlord-tenant law
21 will help housing providers to have more certainty and
22 confidence in their ability to rent their properties and provide
23 Hawaii residents with much needed housing; and

24
25 WHEREAS, establishing a working group dedicated to
26 researching and improving the landlord-tenant code and
27 addressing any other relevant landlord-tenant issues would
28 provide an opportunity for collaboration among key stakeholders



1 to identify concerns, evaluate potential solutions, and
2 recommend best practices; now, therefore,

3
4 BE IT RESOLVED by the Senate of the Thirty-third
5 Legislature of the State of Hawaii, Regular Session of 2025, the
6 House of Representatives concurring, that the Judiciary is
7 requested to convene a three-year working group to review the
8 Residential Landlord-Tenant Code to determine if any amendments
9 or updates are necessary to improve landlord-tenant interactions
10 and address other housing issues, including:

- 11
12 (1) Conducting a comprehensive review of the Residential
13 Landlord-Tenant Code to determine if any amendments or
14 updates are necessary;
15
16 (2) Reviewing existing mechanisms available to landlords
17 and tenants for the enforcement of rights under the
18 Residential Landlord-Tenant Code;
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20 (3) Determining problem areas that impact property
21 managers, tenants, and property owners and whether
22 educational resources or other solutions can help
23 address those challenges;
24
25 (4) Considering the feasibility of statutory processes
26 through which injunctive relief might be obtained; and
27
28 (5) Exploring any other feasible ideas or relevant
29 solutions, pursuant to the discretion of the working
30 group; and

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32 BE IT FURTHER RESOLVED that the working group is requested
33 to be comprised of the following members:

- 34
35 (1) (1) The Chief Justice of the Hawaii Supreme Court, or
36 their designee, who is requested to serve as the
37 chairperson of the working group;
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39 (2) The President of the Senate, or their designee;
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41 (3) The Speaker of the House of Representatives, or their
42 designee;



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- (4) The Attorney General, or their designee;
- (5) The Executive Director of the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, or their designee;
- (6) An attorney specializing in landlord-tenant laws, to be invited by the chairperson;
- (7) One individual who owns rental property in the State that they are managing personally, but who is not a real estate licensee, to be invited by the chairperson;
- (8) Two members from organizations representing professional property managers--one to be invited by the President of the Senate or the President's designee and one to be invited by the Speaker of the House of Representatives or the Speaker's designee;
- (9) Two members from organizations representing tenant concerns--one to be invited by the President of the Senate or the President's designee and one to be invited by the Speaker of the House of Representatives or the Speaker's designee; and
- (10) Any other member deemed necessary that provides the appropriate special expertise, including representatives from organizations with experience in landlord or tenant issues, upon approval by the chairperson; and

BE IT FURTHER RESOLVED that an initial meeting of the working group be convened no later than July 1, 2025; and

BE IT FURTHER RESOLVED that the working group is requested, with the assistance of the Judiciary, to submit an initial report of its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026; and

1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Chief Justice of the
3 Hawaii Supreme Court, President of the Senate, Speaker of the
4 House of Representatives, Attorney General, and Executive
5 Director of the Office of Consumer Protection of the Department
6 of Commerce and Consumer Affairs.
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