

A BILL FOR AN ORDINANCE

RELATING TO REAL PROPERTY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address private real property subject to a lease, rental agreement, or HRS Chapter 521, Relating to the Residential Landlord-Tenant Code.

SECTION 2. Chapter 41, Revised Ordinances of Honolulu 2021 ("Public Health and Safety"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"ARTICLE __: AGENT'S INSPECTION OF PRIVATE REAL PROPERTY

§ 41-__ .1 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Chief of Police. The chief of police of the Honolulu police department or the chief's designee.

Department. The Honolulu police department.

Department Information. Any data, records, reports, or details collected, maintained, or disseminated by the department in the course of its duties.

Landlord. Has the same meaning as defined in HRS § 521-8.

Owner. Has the same meaning as defined in § 8-6.3(c).

Police Officer. Any police officer of the department.

Premises. Has the same meaning as defined in HRS § 708-800.

Private Property or Property. Any real property, including but not limited to buildings, structures, yards, open spaces, walkways, courtyards, driveways, carports, parking areas, and vacant lots owned by any person or legal entity other than property owned or lawfully possessed by any governmental entity or agency.



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Public Nuisance Related to Public Health and Morals or Nuisance. A building, premises, or a place used for offenses prohibited under HRS Chapter 712, Part I, Part II, or Part III, not including social gambling as defined in HRS § 712-1231(a), and Part IV.

Real Property Interest Holder. Any individual or entity that has a recognized legal right or claim to real property, including but not limited to owners, landlords, tenants, mortgagor's insurer, leasehold, or easement rights.

Rental Agreement. All agreements, written or oral, that establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a private property or property.

Right to Inspect. An owner or landlord of private property's right to access, enter, or inspect the private property as provided by the lease, rental agreement, or HRS Chapter 521.

§ 41-__2 Inspection of private property by a police officer for nuisance.

- (a) **Authority.** An owner or landlord of private property with the right to inspect may request the department to escort the owner or landlord during the inspection of the property for nuisance, pursuant to the terms of the rental agreement. The request must be submitted to the department by the owner or landlord in writing. The chief of police may approve or deny the request. If the request is approved by the chief of police, a police officer may escort the owner or landlord to inspect the property as provided by the right to inspect in accordance with subsection (c).
- (b) **Request form.** The request must be sworn on a form provided by the department that includes:
- (1) The address of the private property;
 - (2) The name of the lessee, tenant, or renter;
 - (3) A copy of the current lease or rental agreement of the private property, or a statement that the current lease or rental agreement is oral;
 - (4) A statement of the need for police support with regard to the private



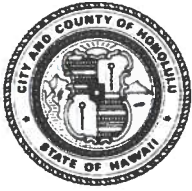
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property and, based on the information and belief of the owner or landlord, a description of the nature of the nuisance that has occurred or that may be occurring on the property; and

- (5) A request that a police officer be allowed to enter the property with the owner or landlord.
- (c) *Inspection supported by police officer.* A police officer authorized to escort the owner or landlord pursuant to a request granted under subsection (a) may escort the owner or landlord during the inspection of the real property; provided that the inspection complies with the lease, rental agreement, or HRS Chapter 521. The lessee or renter may withhold consent as provided in the lease, rental agreement, or HRS Chapter 521.
- (d) *Powers of police officer on inspection.* In conducting an inspection authorized under this article, the police officer may:
 - (1) At the owner's or landlord's request, warn persons not specifically authorized to be present in the lease or rental agreement to leave and not return pursuant HRS § 708-814; and
 - (2) Document any violations of law, unsafe conditions, or violations of the lease or rental agreement.
- (e) *Limitations.* Nothing in the section shall be interpreted to limit preexisting law enforcement powers.
- (f) *Records.* All designations approved under subsection (a) must be retained by the department for at least ___ years.

§ 41-__3 Powers of the Chief of Police to share information.

- (a) *Authority.* The chief of police may provide department information regarding a nuisance to a real property interest holder in the premises.
- (b) *Scope.* The chief of police must determine that providing department information will assist a real property interest holder in private action to decrease the nuisance and will not compromise any department investigations.



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
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- (c) *Redaction.* Personal data that could compromise an individual's privacy or safety shall only be disclosed in accordance with applicable privacy laws and must redacted whenever possible.
- (d) *Restrictions.* Any sharing of department information must comply with federal, State, and local laws.

§ 41-__4 Rules.

The chief of police shall adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement of this article.

§ 41-__5 Annual report.

Not later than January __ of each year, the chief of police shall submit to the council a report providing information for the preceding calendar year regarding the implementation of this article, which at a minimum must include: the number of requests under § 41-__.2(a) that were received by the department; the number of those requests approved by the department; the number of inspections executed by police officers pursuant to § 41-__.2(b); and the outcome of each inspection."

SECTION 3. The Revisor of Ordinances shall, pursuant to the Revisor's authority under SECTION 2 of Ordinance 23-7, update the Reporting Requirements Table to include the reporting requirements enacted by SECTION 2 of this ordinance.



HONOLULU CITY COUNCIL
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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Andria Tupola

Tyler Dos Santos-Tam

DATE OF INTRODUCTION:

January 29, 2025
Honolulu, Hawai'i

_____ Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

DUANE W.H. PANG

APPROVED this 24th day of June, 20 25.

RICK BLANGIARDI, Mayor
City and County of Honolulu

25-30

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

BILL 13 (2025), CD1

Introduced: 01/29/25 By: ANDRIA TUPOLA
TYLER DOS SANTOS-TAM

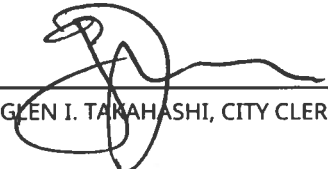
Committee: CONSECUTIVE
PUBLIC SAFETY & CUSTOMER
SERVICES (PS)
INTERNATIONAL & LEGAL AFFAIRS
(ILA)

Title: RELATING TO REAL PROPERTY.

Voting Legend: * = Aye w/Reservations

01/29/25	INTRO	Introduced.
02/26/25	CCL	Passed first reading. 9 AYES: CORDERO*, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER*
03/06/25	PS	Postponed to a date and time to be determined by the Committee Chair. 5 AYES: KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, WEYER
03/07/25	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
04/03/25	PS	Reported out for passage on second reading and scheduling of a public hearing as amended in CD1 form. CR-136 5 AYES: KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, WEYER
04/04/25	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
04/16/25	CCL/PH	Committee report adopted. Bill passed second reading as amended, public hearing closed and referred to committee. 8 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, WATERS, WEYER 1 ABSENT: TUPOLA
04/24/25	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
04/30/25	ILA	Reported out for passage on third reading. CR-166 9 AYES: CORDERO*, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER
06/04/25	CCL	Committee report adopted and Bill passed third reading. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN I. TAKAHASHI, CITY CLERK


TOMMY WATERS, CHAIR AND PRESIDING OFFICER

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