

I Mina'trentai Singko Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
214-35 (LS)	Mary Camacho Torres	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."	10/2/19 2:20 p.m.	10/21/19	Committee on General Government Operations, Appropriations, and Housing	1/21/20 9:00 a.m.	2/28/20 4:51 p.m.	Waiver: 10/25/19	



## SENATOR JOE S. SAN AGUSTIN

Chairman, Committee on General Government Operations, Appropriations, and Housing  
I Mina' trentai Singko na Liheslaturan Guahan Thirty-Fifth Guam Legislature

February 10, 2020

**The Honorable Tina Rose Muña Barnes**

**Speaker**

*I Mina' trentai Singko na Liheslaturan Guahan*

*163 Chalan Santo Papa*

Hagatna, Guam 96910

VIA: **The Honorable Régine Biscoe Lee** *For Regine*  
Chairperson, Committee on Rules

**RE: Committee Report on Bill No 214-35 (LS)**

Dear Speaker Barnes:

Transmitted herewith is the Committee Report on **Bill No. 214-35 (LS) – As Introduced by Senator Mary Camacho Torres - AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

Committee votes are as follows:

6 TO DO PASS

0 TO NOT PASS

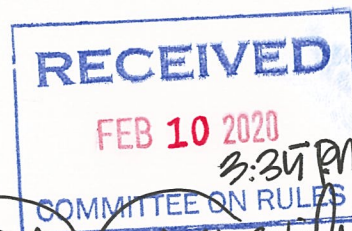
1 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

Respectfully,

*Joe S. San Agustin*  
Senator



*Revisions Recd: 2/27/20@3:14p.m.*

2020 FEB 28 PM 4:51



# **SENATOR JOE S. SANAGUSTIN**

*I Mina' trentai Singko na Liheslaturan Guåhan*

**CHAIRMAN, COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS, AND HOUSING**

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## **COMMITTEE REPORT**

**BILL NO. 214-35 (LS) - *As Introduced by Senator: Mary C. Torres* - AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**



## SENATOR JOE S. SAN AGUSTIN

Chairman, Committee on General Government Operations, Appropriations, and Housing  
I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature

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Date February 10, 2020

### **MEMORANDUM**

**To:** All Members  
Committee on **General Government Operations, Appropriations, and Housing**

**From:** Senator Joe S. San Agustin  
Committee Chairperson

**Subject:** Committee Report on Bill No. 214-35 (LS)

Transmitted herewith for your consideration is the Committee Report on **Bill No 214-35 (LS) –As Introduced by – Senator Mary Camacho Torres - AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

This report includes the following:

- Copy of COR Referral of Bill No 214-35 (LS)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Written Testimonies & Additional Documents
- Committee Report Digest
- Bill No. 214-35 (LS) As Introduced
- Fiscal Note Waiver from Bureau of Budget & Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os ma'åse'!*

  
Joe S. San Agustin  
Senator

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



## COMMITTEE ON RULES

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN  
35TH GUAM LEGISLATURE

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedro" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

# MEMO

To: Rennae Meno  
Clerk of the Legislature  
  
Attorney Ana Won Pat-Borja  
Legislative Legal Counsel

From: Senator Régine Biscoe Lee  
Chair, Committee on Rules

Re: Referral of Bill No. 214-35 (LS)

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*Buenas yan Håfa adai.*

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 214-35 (LS).

Please ensure that the subject bill is referred to the Committee on General Government Operations, Appropriations, and Housing, chaired by Senator Joe S. San Agustin.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

  
Senator Régine Biscoe Lee  
Chair, Committee on Rules



Catherine Leon Guerrero &lt;cathy.senatorsa@gmail.com&gt;

## FIRST NOTICE of Public Hearing: 21 January 2020 2019 @ 9a.m.

1 message

Rose Mesa &lt;rose.senatorsa@gmail.com&gt;

Mon, Jan 6, 2020 at 11:14 AM

To: phnotice@guamlegislature.org

Cc: Management Information System &lt;mis@guamlegislature.org&gt;, Tom Unsiog &lt;sgtarms@guamlegislature.org&gt;, Joe San Agustin &lt;protocol@guamlegislature.org&gt;

Bcc: cathy.senatorsa@gmail.com

6 January 2020

### MEMORANDUM

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: FIRST NOTICE of Public Hearing: 21 January 2020 2019 @ 9 a.m.

*Buenas yan Håfa Adai!*

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations and Housing will convene a Public Hearing on **Tuesday, 21 January 2020, beginning at 9 a.m.** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). The Committee will hear and accept testimonies on the:

**Bill No. 244-35 (LS)** - Amanda L. Shelton / Joe S. San Agustin / Telen Cruz Nelson / Jose "Pedro" Terlaje  
**AN ACT TO ADD A NEW § 20203 OF CHAPTER 20, TITLE 19, AND A NEW § 6213 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, AND TO APPROPRIATE AN ADDITIONAL TWO HUNDRED THOUSAND FIVE HUNDRED SIXTY NINE DOLLARS (\$200,569) FROM THE UNAPPROPRIATED GENERAL FUND BALANCE AS OF THE END OF FISCAL YEAR 2019, TO THE DEPARTMENT OF YOUTH AFFAIRS FOR THE RECLASSIFICATION OF YOUTH SERVICE WORKERS TO YOUTH**

**Bill No. 243-35 (LS)** - Joe S. San Agustin / Tina Rose Muña Barnes / Amanda L. Shelton / Jose "Pedro" Terlaje / Mary Camacho Torres / Telen Cruz Nelson  
**AN ACT TO APPROPRIATE TWO HUNDRED EIGHTY THOUSAND DOLLARS (\$280,000) FROM THE UNAPPROPRIATED GENERAL FUND BALANCE, AS OF THE END OF FISCAL YEAR 2019, TO THE DEPARTMENT OF YOUTH AFFAIRS.**

**Bill No. 214-35 (LS)** - Mary Camacho Torres  
**AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

Individuals who wish to submit written testimony may address Senator Joe S. San Agustin, and send it within forty-eight (48) hours to:

- Hand delivery to the Office of Senator Joe S. San Agustin at the Ran Care Building,  
2<sup>nd</sup> Floor Suite 3 (CBU#203), 761 South Marine Drive, Tamuning, Guam 96931

- Email: senatorjoessanagustin@gmail.com

All government activities, programs, and services are accessible for people with disabilities in compliance with the Title II of the American with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact our office at 989-5445 or via email at senatorjoessanagustin@gmail.com .

***UN DANGKOLO NA SI YU'OS MA'ÅSE'***

***Very Respectfully,***

***RoseMarie T. Mesa***

***Office Manager***

***I Mina'trentai Singko na Liheslaturan Guåhan***

***(Thirty-Fifth Guam Legislature)***

***Senator Joe S. San Agustin***

***Committee on General Government Operations,***

***Appropriations, and Housing***

***Office: 671-989-5445***

***Email: rose.senatorsa@gmail.com***

**Correction: FIRST NOTICE of Public Hearing: 21 January 2020 @ 9a.m.**

1 message

Rose Mesa &lt;rose.sensorsa@gmail.com&gt;

Mon, Jan 6, 2020 at 1:49 PM

To: phnotice@guamlegislature.org

Cc: Management Information System &lt;mis@guamlegislature.org&gt;, Tom Unsio &lt;sgtarms@guamlegislature.org&gt;, Joe San Agustin &lt;protocol@guamlegislature.org&gt;

**6 January 2020****MEMORANDUM**

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: Correction: FIRST NOTICE of Public Hearing: 21 January 2020 @ 9 a.m.

***Buenas yan Håfa Adai!***

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**Bill No. 243-35 (LS)** - Joe S. San Agustin / Tina Rose Muña Barnes / Amanda L. Shelton / Jose "Pedro" Terlaje / Mary Camacho Torres / Telen Cruz Nelson **AN ACT TO APPROPRIATE TWO HUNDRED EIGHTY THOUSAND DOLLARS (\$280,000) FROM THE UNAPPROPRIATED GENERAL FUND BALANCE, AS OF THE END OF FISCAL YEAR 2019, TO THE DEPARTMENT OF YOUTH AFFAIRS.**

**Bill No. 214-35 (LS)** - Mary Camacho Torres **AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

Individuals who wish to submit written testimony may address Senator Joe S. San Agustin, and send it within forty-eight (48) hours to:

- Hand delivery to the Office of Senator Joe S. San Agustin at the Ran Care Building, 2<sup>nd</sup> Floor Suite 3 (CBU#203), 761 South Marine Drive, Tamuning, Guam 96931

- Email: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)

All government activities, programs, and services are accessible for people with disabilities in compliance with the Title II of the American with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact our office at 989-5445 or via email at [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com).

***UN DANGKOLO NA SI YU'OS MA'ASE'***

***Un Dangkolo Na Si Yu'os Ma'ase'***

***Very Respectfully,***

***RoseMarie T. Mesa***

***Office Manager***

***I Mina'trentai Singko na Liheslaturan Guåhan***

***(Thirty-Fifth Guam Legislature)***

***Senator Joe S. San Agustin***

***Committee on General Government Operations,***

***Appropriations, and Housing***

***Office: 671-989-5445***

***Email: [rose.senatorsa@gmail.com](mailto:rose.senatorsa@gmail.com)***

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To unsubscribe from this group and stop receiving emails from it, send an email to [phnotice+unsubscribe@guamlegislature.org](mailto:phnotice+unsubscribe@guamlegislature.org).



Catherine Leon Guerrero &lt;cathy.senatorsa@gmail.com&gt;

**CHANGE 1: FIRST NOTICE of Public Hearing: 21 January 2020 @ 9a.m.**

1 message

Rose Mesa &lt;rose.senatorsa@gmail.com&gt;

Wed, Jan 8, 2020 at 9:18 AM

To: phnotice@guamlegislature.org

Cc: Management Information System &lt;mis@guamlegislature.org&gt;, Tom Unsiog &lt;sgtarms@guamlegislature.org&gt;, Joe San Agustin &lt;protocol@guamlegislature.org&gt;

Bcc: cathy.senatorsa@gmail.com

**8 January 2020****MEMORANDUM**

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: **CHANGE 1: FIRST NOTICE of Public Hearing: 21 January 2020 @ 9 a.m.*****Buenas yan Håfa Adai!***

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**Bill No. 243-35 (LS)** - Joe S. San Agustin / Tina Rose Muña Barnes / Amanda L. Shelton / Jose "Pedro" Terlaje / Mary Camacho Torres / Telen Cruz Nelson  
**AN ACT TO APPROPRIATE TWO HUNDRED EIGHTY THOUSAND DOLLARS (\$280,000) FROM THE UNAPPROPRIATED GENERAL FUND BALANCE, AS OF THE END OF FISCAL YEAR 2019, TO THE DEPARTMENT OF YOUTH AFFAIRS.**

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**AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

**Bill No. 259-35 (COR)** - Telen Cruz Nelson  
**AN ACT RELATIVE TO INITIATING THE RECALL ELECTION OF THE MAYOR OF THE VILLAGE OF YONA AND AN ACT TO AMEND § 1013.1 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE RESULTS OF A RECALL ELECTION IN EVENTS CAUSING VACANCY IN MUNICIPAL OFFICES.**

Individuals who wish to submit written testimony may address Senator Joe S. San Agustin, and send it within forty-eight (48) hours to:

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- Email: senatorjoessanagustin@gmail.com

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***UN DANGKOLO NA SI YU'OS MA'ÅSE'***

***Very Respectfully,***

***RoseMarie T. Mesa***

***Office Manager***

***I Mina'trentai Singko na Liheslaturan Guåhan  
(Thirty-Fifth Guam Legislature)***

***Senator Joe S. San Agustin***

***Committee on General Government Operations,  
Appropriations, and Housing***

***Office: 671-989-5445***

***Email: rose.senatorsa@gmail.com***



Catherine Leon Guerrero &lt;cathy.senatorsa@gmail.com&gt;

## SECOND NOTICE of Public Hearing: 21 January 2020 @ 9a.m.

1 message

Rose Mesa &lt;rose.senatorsa@gmail.com&gt;

Wed, Jan 15, 2020 at 8:14 AM

To: phnotice@guamlegislature.org

Cc: Management Information System &lt;mis@guamlegislature.org&gt;, Tom Unsiog &lt;sgtarms@guamlegislature.org&gt;, Joe San Agustin &lt;protocol@guamlegislature.org&gt;

Bcc: cathy.senatorsa@gmail.com

15 January 2020

### MEMORANDUM

To: ALL HONORABLE Senators / Members and Media

From: Senator Joe S. San Agustin, Chairman

Subject: SECOND NOTICE of Public Hearing: 21 January 2020 @ 9 a.m.

### *Buenas yan Håfa Adai!*

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**Bill No. 243-35 (LS)** - Joe S. San Agustin / Tina Rose Muña Barnes / Amanda L. Shelton / Jose "Pedro" Terlaje / Mary Camacho Torres / Telen Cruz Nelson  
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***UN DANGKOLO NA SI YU'OS MA'ÅSE'***

***Very Respectfully,***

***RoseMarie T. Mesa  
Office Manager  
I Mina'trentai Singko na Liheslaturan Guåhan  
(Thirty-Fifth Guam Legislature)  
Senator Joe S. San Agustin  
Committee on General Government Operations,  
Appropriations, and Housing  
Office: 671-989-5445  
Email: rose.senatorsa@gmail.com***



*Office of*

***SENATOR Joe S. San Agustin***

*I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature*

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**PUBLIC HEARING**

**Tuesday, January 21, 2020**

**Guam Congress Building Public Hearing Room**

**AGENDA**

**9:00AM**

**Bill No. 244-35 (LS) – As Introduced by Senators: Amanda L. Shelton / Joe S. San Agustin / Telenia Cruz Nelson / Jose “Pedro” Terlaje - AN ACT TO ADD A NEW § 20203 OF CHAPTER 20, TITLE 19, AND A NEW § 6213 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, AND TO APPROPRIATE AN ADDITIONAL TWO HUNDRED THOUSAND FIVE HUNDRED SIXTY NINE DOLLARS (\$200,569) FROM THE UNAPPROPRIATED GENERAL FUND BALANCE AS OF THE END OF FISCAL YEAR 2019, TO THE DEPARTMENT OF YOUTH AFFAIRS FOR THE RECLASSIFICATION OF YOUTH SERVICE WORKERS TO YOUTH CORRECTIONS OFFICERS.**

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***Committee Chairman: General Government Operations, Appropriations, and Housing***

---



# SENATOR JOE S. SANAGUSTIN

*I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature*

## Public Hearing Sign-in Sheet

Tuesday, January 21, 2020 • @ 9:00AM • Guam Congress Building

**BILL NO. 214-35 (LS) – As Introduced by Senator Mary Camacho Torres - AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Charlene Quintanilla	VARO				4775552	varoquante@yahoo.com

Page 1 of 1

*Committee Chairman: General Government Operations, Appropriations, and Housing*

*Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913*

*Tel: (671) 989-5445 \* Fax: (671) 969-6737 \* email: senatorjoessanagustin@gmail.com*

**Bill No. 214-35 (LS)**  
MCT Sponsor Statement  
January 21, 2020

**Introduction**

Thank you, Mr. Chair.

Bill No. 214-35 (LS) is an Act to add a new Article 5 to Chapter 48, Title 21 of the Guam Code Annotated, relative to providing lease protections for tenants who are victims of family violence, sexual assault, or stalking; and to further citing this act as the “Guam Safe Housing Act of 2019” which we will be changing to 2020.

Put simply, this bill would add Guam to a growing list of states that provide clear housing protections for those who may be too afraid or can’t afford to move out.

**The State of Violence on Guam**

Mr. Chair, we are all painfully aware that acts of family violence, sexual assault, and stalking continue to plague our island.

Data from our Superior Court shows that family violence was the second highest offense charged in 2018 while nearly 400 domestic violence cases were filed by the Attorney General that same fiscal year alone.

Guam also has the second highest number of sexual assaults per capita in the nation, and we know that more than half of all survivors are stalked by former intimate partners—many of whom have either lived with or know the location of their home.

And while this Body should do everything in its power to reduce these numbers and prevent this type of violence—we also need clear policies that address those who might be trapped right now.

**Obstacles for Victims of Violence**

Victims face many obstacles in accessing and maintaining safe housing. They may stay in an abusive situation because they can’t afford to terminate their lease. Or face eviction or discrimination from other landlords because of an incident that occurred on the premise.

To be clear, I don’t believe any landlord wants to subject their tenants to abuse. Nor do they desire a disruptive, potentially violent situation on their property—and I want to applaud those who respond to the plight of victims.

But right now, under current law, a landlord is entitled to recover actual damages and obtain injunctive relief against a tenant for noncompliance with the rental agreement. This can financially force victims to stay in an abusive relationship or unsafe living

environment. Moreover, we have no protections in our landlord-tenant act against retaliation and discrimination.

So while most landlords I know would do what they can, we shouldn't take a chance for those that don't.

More than half of our states agree.

According to the National Housing Law Project, 27 states have built into their laws early lease termination for survivors, while 24 states and localities provide defense against eviction.

Moreover, 44 states and localities have laws pertaining to confidentiality of housing records and documentation of victims.

I'm simply asking this Body to add Guam to that list.

### **What Bill Does**

If enacted, Bill No. 214 would allow victims of violence to terminate their rental agreement early without being penalized. The bill would require tenants to provide a police report, a restraining or protective order, or a written statement from a licensed medical professional as evidence of victimization.

Bill 214 would then release the tenant from any rent payment obligation beyond one month's rent.

The measure further provides protection against eviction and liability under specific circumstances, and prohibits discrimination or retaliation against a tenant solely because he or she is a victim of violence.

Under the measure, landlords may not disclose any information provided by the tenant without the victim's written consent or unless required by law or order of the court.

### **Protection for Landlords**

At the same time, Bill 214 recognizes that it isn't just victims that need clearer protection under the law. Landlords who are trying to do right should be shielded from false notice and entitled to damages related to incidents on their property.

That is why, if a tenant knowingly submits false written notice or documentation to a landlord as evidence, the landlord may recover an amount equal to three months periodic rent or threefold actual damages, whichever is greater, plus costs and reasonable attorney's fees.

The bill further upholds a landlord's right to hold a perpetrator liable for any damages, as well as protect a landlord or tenant who complies with the bill's provision in good faith.

#### **Possible Amendment(s)**

I do want to note for this Public Hearing's record that my office will be working with the Committee to amend Section 48501(c)(1), which is the language regarding the landlord's ability to hold on to the security deposit.

Based on discussions with stakeholders, I am inclined to remove this section. While there are state safe housing acts that contain this language, I recognize that for many tenants, a security deposit is the difference between staying and leaving. The last thing I want is for this section to be used as a means to financially keep victims in an abusive situation. So, to this end, my office will be working with your Committee, Mr. Chair, to make such changes.

#### **Conclusion**

In short, Mr. Chair, Bill 214 simply recognizes what so many of our states have already done.

It is my hope that, with the explicit protections built into our landlord-tenant act, this Body sends a clear message to Guam's victims: that no survivor should have to stay in an abusive situation—just because they can't afford to move out.

Thank you.

EXECUTIVE DIRECTOR  
Stephen P. Hattori



DEPUTY DIRECTOR  
John P. Morrison  
ADMINISTRATIVE DIRECTOR  
Cathmann C. Gogue

**PUBLIC DEFENDER SERVICE CORPORATION**  
*(Kotperasion Setbision Defensot Pubbleku)*

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January 21, 2020

The Honorable Joe S. San Agustin  
Senator, I Mina'trentai Singko Na Liheslaturan Guahan  
Chairperson, Committee on General Government Operations, Appropriations, and  
Housing  
Guam Congress Building  
163 Chalan Santo Papa Street  
Hagatna, Guam 96910

**Subject:** Submission of Testimony Regarding Bill No. 214-35: An Act to Add a New Article 5 to Chapter 48, Title 21 of the Guam Code Annotated, Relative to Providing Lease Protections for Tenants who are Victims of Family Violence, Sexual Assault, or Stalking; and to further citing this Act as the "Guam Safe Housing Act of 2019."

Dear Mr. Chairman and the Honorable Members of the Committee on General Government Operations, Appropriations, and Housing:

As the Executive Director of the Public Defender Service Corporation, I would like to thank you for taking the time to hear this important piece of legislation. Our office receives funding through the STOP Violence Against Women Formula Grant Program. We use this funding to seek and obtain protective and/or restraining orders for victims of domestic violence, dating violence, sexual assault and stalking. We provide safety planning, court accompaniment and referrals to our community of providers for additional services including counseling, shelter, law enforcement and other support services.

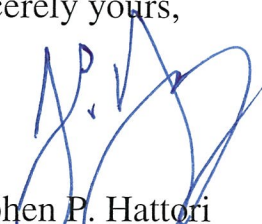
This bill addresses one of the barriers many victims face, housing. Far too often, homelessness is the solution for leaving an abusive relationship. Victims often hide in the shadows, afraid to ask for help because of a fear that they may lose their housing. Others are trapped in an abusive relationship, tied to an abuser by a year-long lease. The fear of being financially tied to a long-term lease should not impede one's flight from abuse. This law would permit such a victim to seek early termination of the lease agreement. This law, too, would protect a victim from paying for any damage caused by the abuser.

Federal law already protects victims who receive housing assistance through GHURA. Guam needs to extend such protection to victims that are not relying on GHURA housing assistance. This bill would also prevent a landlord from discriminating against

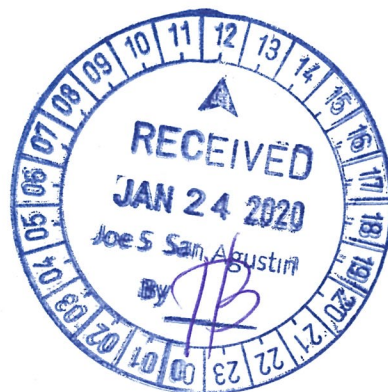
victims; it, too, protects landlords from damages or other relief that may be sought by the abuser, as long as the landlord and/or tenant act in good faith pursuant to this law.

We support this measure and request its prompt passage. January is National Stalking Awareness Month and as this measure seeks to provide protection for victims of stalking, among others, it is quite timely. Thank you for your time and attention to this measure.

Sincerely yours,



Stephen P. Hattori  
Public Defender



GUAM LEGISLATURE  
CENTRAL FILES

ACKNOWLEDGEMENT RECEIPT  
Received by: PM  
Date: 1-17-20  
1-22-20



# SENATOR JOE S. SAN AGUSTIN

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN  
CHAIRMAN, COMMITTEE ON APPROPRIATIONS, GENERAL GOVERNMENT OPERATIONS & HOUSING

## Committee Report Digest

### I, OVERVIEW

**Bill No. 214-35(LS)** was introduced on **October 02, 2019** by *Senator Mary Camacho Torres* the bill was subsequently referred by the Committee on Rules to the Committee on General Government Operations, Appropriations, and Housing on **October 21, 2019**.

The Committee on General Government Operations, Appropriations, and Housing convened a public hearing on **Bill No. 214-35 (LS)** on **Tuesday, January 21, 2020** at **9:00AM** in / *Liheslatura's* Public Hearing Room.

#### Public Notice Requirements:

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on (First Notice), **Monday, January 06, 2020** (5-Day Notice), and again on ~~(First Notice)~~ **Change 1 - Wednesday, January 08, 2020** (Second Notice), **Wednesday, January 15, 2020** (48-Hour Notice). ✓

#### (a) Committee Members and Senators Present:

- Senator Joe S. San Agustin, Chairperson ✓
- Senator Amanda S. Shelton, Member ✓ *Vice Chairperson*
- Senator Jose "Pedro" Terlaje, Member
- Senator Telo M. Taitague

#### (b) Appearing before the Committee:

- None

#### (c) Written Testimony Submitted:

- Stephen P. Hattori, Executive Director, Public Defender

## II. SUMMARY OF TESTIMONY & DISCUSSION:

This public hearing was Called-to-Order @10:17A.M.



# SENATOR JOE S. SAN AGUSTIN

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN  
CHAIRMAN, COMMITTEE ON APPROPRIATIONS, GENERAL GOVERNMENT OPERATIONS & HOUSING

---

## Committee Report Digest

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- Senator Jose "Pedro" Terlaje, Member
- Senator Telo M. Taitague

#### (b) Appearing before the Committee:

- None

#### (c) Written Testimony Submitted:

- Stephen P. Hattori, Executive Director, Public Defender

### II. SUMMARY OF TESTIMONY & DISCUSSION:

This public hearing was Called-to-Order @10:17A.M.

**Chairman Joe S. San Agustin:** And we will now move to Bill No. 214 but we will take a few minutes so that we can clear the hearing room. Thank you, we will now continue with the next bill which is **Bill No. 214-35 (LS) – *Sponsored by Senator Mary Camacho Torres* – AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE “GUAM SAFE HOUSING ACT OF 2019”.** Senator Torres asked me to read her opening statement.

Bill No. 214-35 (LS) is an Act to add a new Article 5, to Chapter 48, Title 21 of the Guam Code Annotated, relative to providing lease protections for tenants who are victims of family violence, sexual assault, or stalking; and to further citing this act as the “Guam Safe Housing Act of 2019: which we will be changing to 2020.

Put simply, this bill would add Guam to a growing list of states that provide clear housing protections for those who may be too afraid or can’t afford to move out.

### **The State of Violence on Guam**

We are all painfully aware that acts of family violence, sexual assault, and stalking continue to plague our island.

Data from our Superior Court shows that family violence, sexual assault, and stalking continue to plague our island.

Data from our Superior Court shows that family violence was the second highest offense charged in 2018 while nearly 400 domestic violence cases were filed by the Attorney General that same fiscal year alone.

Guam also has the second highest number of sexual assaults per capita in the nation, and we know that more than half of all survivors are stalked by former intimate partners, many of whom have either lived with or know the location of their home.

And while this Body should be everything in its power to reduce these numbers and prevent this type of violence – we also need clear policies that address those who might be trapped right now.

### **Obstacles for Victims of Violence**

Victims face many obstacles in accessing and maintaining safe housing. They may stay in an abusive situation because they can’t afford to terminate their lease. Or face eviction or discrimination from other landlords because of an incident that occurred on the premise.

To be clear, I don't believe any landlord wants to subject their tenants to abuse. Nor do they desire a disruptive, potentially violent situation on their property ---and I want to applaud those who respond to the plight of victims.

But right now, under current law, a landlord is entitled to recover actual damages and obtain injunctive relief against a tenant for noncompliance with the rental agreement. This can financially force victims to stay in an abusive relationship or unsafe living environment. Moreover, we have no protections in our landlord-tenant act against retaliation and discrimination.

So, while most landlords I know would do what they can, we shouldn't take a chance for those that don't.

More than half of our states agree.

According to the National Housing Law Project, 27 states have built into their laws early lease termination for survivors, while 24 states and localities provide defense against eviction.

Moreover, 44 states and localities have laws pertaining to confidentiality of housing records and documentation of victims.

I'm simply asking this Body to add Guam to that list.

I'm simply asking this Body to add Guam to that list.

### **What Bill Does**

If enacted, Bill No. 214 would allow victims of violence to terminate their rental agreement early without being penalized. The bill would require tenants to provide a police report, a restraining or protective order, or a written statement from a licensed medical professional as evidence of victimization.

Bill 214 would then release the tenant from any rent payment obligation beyond one month's rent.

The measure further provides protection against eviction and liability under specific circumstances, and prohibits discrimination or retaliation against a tenant solely because he or she is a victim of violence.

Under the measure, landlords may not disclose any information provided by the tenant without the victim's written consent or unless required by law or order of the court.

### **Protection for Landlords**

At the same time, Bill 214 recognizes that it isn't just victims that need clearer protection under the law. Landlords who are trying to do right should be shielded from false notice and entitled to damages related to incidents on their property.

That is why, if a tenant knowingly submits false written notice or documentation to a landlord as evidence, the landlord may recover an amount equal to three months periodic rent or threefold actual damages, whichever is greater, plus costs and reasonable attorney's fees.

The bill further upholds a landlord's right to hold a perpetrator liable for any damages, as well as protect or tenant who complies with the bill's provision is good faith.

### **Possible Amendment(s)**

I do want to note for this Public Hearing's record that my office will be working with the Committee to amend Section 48501(c)(1), which is the language regarding the landlord's ability to hold on to the security deposit.

Based on discussions with stakeholders, I am inclined to remove this section. While there are state safe housing acts that contain this language, I recognize that for many tenants, a security deposit is the difference between staying and leaving, the last thing I want is for this section to be used as a means to financially keep victims in an abusive situation. So, to this end, my office will be working with your Committee, to make such changes.

### **Conclusion**

In short, Bill 214 simply recognizes what so many of our states have already done.

It is my hope that, with the explicit protections built into our landlord-tenant act, this body sends a clear message to Guam's victims; that no survivor should have to stay in an abusive situation --- just because they can't afford to move out.

We only have Ms Charlene Quintanilla from VARO is present to testify (Victims Advocate Reaching Out) she is not here to testify just to listen to whatever happens here in the hearing and that being said, do I have any of my colleagues to make any statements in reference to the bill. The sponsor of the bill had to run out to court to take care of whatever action is going on. She asked me to read her opening statement, and I have done that. And I will begin with Senator Telo Taitague.

**Senator Telo Taitague:** *Si Yu'os ma'áse'* Mr. Chair and thank you for the opportunity, I just wanted although there is no one here to testify, I did reach out to some realtors to look at this bill the other day, and gave them a copy and a lot of them didn't realize it was on the agenda, and so probably why there is no one here today. After speaking with them, they didn't seem to have an issue with this bill in all. However, I did point out the Section 48502 and they concurred with my findings that I think its important if we are going to take the liability away

from the victim with regard to any property damage that exceed the amount of security deposit. That a lot of times this individual is taking into small claims court, and to recover the additional damage and that only helps if the individual is there to testify. A lot of times they can't seem to get the case closed because there was no else to testify, that this individual was the one to cause the damage, that exceeded to cause any damage to the property that is belonging to the landlord.

So, my amendment just to incorporate Mr. Chair that if the individual, the victim, is not to be held liable for this property damage that the victim in order to, like I said the responsible must testify either in person or provide a written affidavit sworn affidavit to the fact. That is the only thing, of course the other thing, the other realtors that I have spoke to say they concur with that as well, thank you, Mr. Chair for the opportunity and I do support this measure. I think it's very important that these individuals are going through difficult time, that you know they are being put in a difficult situation, we also need to remind ourselves that sometimes we've been in a situation once before. They tend to be repetitive, and instead of making a change for the good sometimes these individuals go back to the same abusive spouse or same abusive friend they have been living with and that's what needs to stop. You know this repetitive of continued violence, especially with one individual, so I appreciate the VARO who is here today and knows with this bill and maybe we can get some written testimonies from their too and their census, statistics and data that will help us move this bill forward. So, thank you again Mr. Chair for the opportunity.

**Chairman Joe S. San Agustin:** Thank you, Senator Amanda?

**Senator Amanda L. Shelton:** Thank you, Mr. Chair, Obviously, I don't have any questions right now but I just did just want to say that I am in support of this bill as it is a victim centric bill and a few public hearings we had dealing with other victim centric legislation we had individuals come in testified for the need to have more policy that helps to support them in other areas if life and so I think that this is a good start for us, the safe housing act of 2020 that allow victims of family violence, sexual assault, to house some kind of recourse, to have some process for them and to turn to when they need safe place and to get out of these contracts, so, make that accommodations for them. I think at the least we can do here.

**Chairman Joe S. San Agustin:** Thank you, Senator Shelton, Senator Therese, I mean Senator "Pedro" Terlaje.

**Senator Jose "Pedro" Terlaje:** Thank you, Mr. Chair, I haven't fully digest the bill in total, but I just want to raise a few issues here regarding the damages that is being charged to either the tenant or the landlord. And these were actually address couple of months ago regarding rates by the police department, and I am not sure Mr. Chair if this should be but, if there is a raid in a particular house, and police officers go into that house and there is a delay in opening up the door to the house that is being raided, and the police officers broke the door if you will, and go in there and start messing up the house, breaking drawers and things like that I am not sure if the police department is responsible for the damage, I am not sure another thing that I wanted to raise is for example an intruder, the occupants of the house

They are not present in the house and intruder will go in there and break the window to have access to go inside the house, who's responsible? Is it the tenant or the landlord these are some of the questions that are being raise to me and I am not sure if I have the right answer? Thank you, Mr. Chair.

**Chairman Joe S. San Agustin:** Thank you, Senator Terlaje. In reference to whenever they have any conduct, conducted by any Government I am almost sure that the Government Claims Act takes a roll on that, if somebody wants to claim that the Government is abusive, lenient then the Government will either pay for the damages, now in reference to intruders Its just like we have done in the Police Department, who don't know the one that conducted the damage, then automatically it will be give and take with the landlord and the tenants on who pays for the damages. A lot of tenants today have rental insurance so they are covered. I don't think that is going to be much of an issue.

Now there be no one here to testify the Committee will conclude this public hearing for Bill No. 214-35 (LS). The Committee will continue to receive testimonies for the next few days. I will also communicate with the author, to reach out to the real estate agent out there and find out how they feel about and get more testimony and also to every other agency it may apply. Please address your written testimony to the Committee on General Government Operations, Appropriations, and Housing and submit it via email to [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com). *Si Yu'os Ma'ase'* for your attendance and participation in today's hearing. And for those at home, thank you for watching.

This public hearing for **Bill No. 214-35 (LS)** is now adjourned @10:37A.M.

### **III. FINDINGS & RECOMMENDATIONS:**

The Committee on **General Government Operations, Appropriations, and Housing** hereby reports out **Bill No. 214-35 (LS) – As Introduced by Senator Mary Camacho Torres - AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE “GUAM SAFE HOUSING ACT OF 2019.” - Recommendation TO DO PASS**.

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 214-35 (LS)**

Introduced by:

Mary Camacho Torres *MC*

**AN ACT TO *ADD A NEW* ARTICLE 5 TO CHAPTER 48,  
TITLE 21 OF THE GUAM CODE ANNOTATED,  
RELATIVE TO PROVIDING LEASE PROTECTIONS  
FOR TENANTS WHO ARE VICTIMS OF FAMILY  
VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND  
TO FURTHER CITING THIS ACT AS THE “GUAM SAFE  
HOUSING ACT OF 2019.”**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that acts of family violence, sexual assault, and stalking remain significant problems on Guam—with a devastating impact to individual victims, their families, and the entire island community.

*I Liheslaturan Guåhan* finds that family violence was the second highest offense charged overall in the Superior Court of Guam in 2018 and that three hundred seventy-seven (377) cases of family violence were filed by the Prosecution Division of the Office of the Attorney General in Fiscal Year 2018 alone. *I Liheslaturan Guåhan* further finds that Guam has the second highest number of sexual assaults per capita in the nation with sixty-four (64) reported rapes per one hundred thousand (100,000) people (National Organization of Asians and Pacific Islanders Ending Sexual Violence). Additionally, *I Liheslaturan Guåhan* finds that sixty one percent (61%) of female victims and forty four percent (44%) of male

2019 OCT -2 PM 2:29 *[Signature]*

1 victims are stalked by someone who has been an intimate partner in their lives  
2 (National Center for Victims of Crime).

3 *I Liheslaturan Guåhan* finds that it is a legitimate government interest to  
4 address obstacles that victims of violence may face in accessing and maintaining  
5 safe housing. *I Liheslaturan Guåhan* recognizes that victims may be trapped in an  
6 abusive relationship or forced to stay in an unsafe living environment due to the  
7 terms of their residential lease agreement. Without access to safe housing, these  
8 victims are more likely to remain in or return to abusive or dangerous situations.  
9 Moreover, *I Liheslaturan Guåhan* recognizes that these individuals risk being  
10 revictimized if other landlords refuse to enter into a lease agreement with them  
11 because of their history as a victim. While *I Liheslaturan Guåhan* acknowledges that  
12 most landlords would do what they can for victims of family violence, *I Liheslaturan*  
13 *Guåhan* finds that many states are, nonetheless, in the process of adopting or  
14 amending clear legal protections for victims of these crimes.

15 *I Liheslaturan Guåhan* finds that since 2010, there has been a major increase  
16 in state and local jurisdictions enacting and implementing a variety of housing  
17 protections for victims of violence (National Housing Law Project). Currently,  
18 twenty-seven (27) states have early lease termination laws for survivors while  
19 twenty-four (24) states and localities have eviction defense laws for survivors.  
20 Moreover, forty-four (44) states and localities have laws pertaining to confidentiality  
21 of housing records and documentation of victims.

22 By this Act, *I Liheslaturan Guåhan* therefore intends to increase safe housing  
23 for victims of family violence, sexual assault, and stalking by providing early  
24 termination of a residential lease agreement, as well as protection against  
25 discrimination, retaliation, eviction, and disclosure.

26 **Section 2.** A new Article 5 is hereby *added* to Title 21 of Guam Code  
27 Annotated, to read as follows:

**“ARTICLE 5**  
**GUAM SAFE HOUSING ACT**

**§ 48501. Early Termination of Rental Agreement.**

**§ 48502. Protection against Eviction and Liability.**

**§ 48503. Discrimination and Retaliation against Tenant Prohibited.**

**§ 48504. Disclosure Prohibited.**

**§ 48504. False Notice and Protection of Action Taken in Good Faith**

**§ 48501. Early Termination of Rental Agreement.**

(a) If a tenant to a residential rental agreement or lease agreement notifies the landlord in writing that he or she is the victim of family violence, sexual assault, or stalking as defined under Guam law, and provides to the landlord evidence as defined in § 48501(b), and the tenant seeks to vacate the premises due to fear of imminent danger for self or children because of family violence, sexual assault, or stalking, then the tenant may terminate the residential rental agreement or lease agreement and vacate the premises without further obligation except as otherwise provided in § 48501(c).

(b) For the purposes of this Act, evidence that a tenant is a victim of family violence, sexual assault, or stalking, may be provided to his or her landlord in the form of:

(1) a police report written within the prior thirty (30) days;

(2) a restraining or protective order; or

(3) a statement written within the prior thirty (30) days from a licensed medical professional who has examined or consulted with the victim, which written statement confirms such fact.

1       (c) If a tenant to a residential rental agreement or lease agreement  
2 terminates the residential rental agreement or lease agreement and vacates the  
3 premises pursuant to § 48501(a), then the tenant shall be responsible for one (1)  
4 month's rent following vacation of the premises, which amount shall be due and  
5 payable to the landlord within ninety (90) days after the tenant vacates the premises.  
6 Following this payment, the tenant shall be released from any rent payment  
7 obligation under the residential rental or lease agreement without penalty.

8               (1) The landlord shall not be obligated to refund the security deposit  
9 to the tenant until such time as the tenant has paid the one (1) month's rent  
10 pursuant to this section.

11              (2) This provision shall not affect a tenant's liability for delinquent,  
12 unpaid rent, or other amounts owed to the landlord prior to the tenant's  
13 notification that he or she is a victim of family violence, sexual assault, or  
14 stalking.

15              (d) Nothing in this Section relieves a tenant, other than the tenant who is a  
16 victim of family violence, sexual assault, or stalking from his or her obligations  
17 under the residential rental agreement or lease agreement.

18       **§ 48502. Protection against Eviction and Liability.**

19              (a) A victim under this Act shall not be evicted based on an incident or  
20 incidents of actual or threatened family violence, sexual assault, or stalking  
21 occurring at the premises.

22              (b) A victim under this Act shall not be held liable for damage to the  
23 property related to an incident or incidents of actual or threatened family violence,  
24 sexual assault, or stalking beyond the value of the victim's security deposit, as long  
25 as the alleged perpetrator is a tenant and the victim provides written notice of the  
26 damage and documentation required pursuant to § 48501(a), within thirty (30) days  
27 of the occurrence of the damage.

1       (c) Nothing in this Section prohibits a landlord from evicting a tenant for  
2 reasons unrelated to family violence, sexual assault, or stalking.

3       (d) Nothing in this Section prohibits a landlord from instituting a forcible  
4 entry and detainer action against the tenant of the premises who perpetuated the  
5 family violence, sexual assault, or stalking or obtaining a criminal no trespass order  
6 against a non-tenant who perpetuates such violence or abuse at the premises.

7       (e) Nothing in this Section limits the rights of a landlord to hold a perpetrator  
8 of the family violence, sexual assault, or stalking liable for damage to the property.

9       **§ 48503. Discrimination and Retaliation against Tenant Prohibited.**

10      (a) A landlord shall not terminate a lease, refuse to renew a lease, refuse to  
11 enter into a lease, or retaliate against a tenant solely because a tenant, an applicant,  
12 or an individual who is a member of the tenant's or applicant's household is the  
13 victim of family violence, sexual assault, or stalking.

14      (b) A landlord shall not refuse to enter into a lease with an applicant or  
15 retaliate against a tenant solely because the tenant, the applicant, or an individual  
16 who is a member of the tenant's or applicant's household has terminated a residential  
17 rental or lease agreement under § 48501 of this Act.

18      **§ 48504. Disclosure Prohibited.**

19      (a) (1) A landlord shall not disclose any information provided by a tenant  
20 under this Act to a third party unless the disclosure satisfies any one of the following:

21                   (A) The tenant consents in writing to the disclosure; or

22                   (B) The disclosure is required by law or order of the court.

23      (2) A landlord's communication to the third party that provided  
24 evidence under § 48501(b), to verify the contents of that documentation is not  
25 disclosure for purposes of this Section.

26      **§ 48505. False Notice and Protection of Action Taken in Good Faith**

1        (a) If a tenant knowingly submits false notice or accompanying  
2 documentation to a landlord as evidence to be released from the residential rental or  
3 lease agreement under this Act, the landlord may recover an amount equal to three  
4 (3) months periodic rent or threefold actual damages, whichever is greater, plus costs  
5 and reasonable attorney's fees.

6        (b) The person who committed family violence, sexual assault, or stalking  
7 against the tenant shall not be entitled to any damages or other relief against the  
8 landlord or tenant who complies with the provisions of this Act in good faith."

9        **Section 3. Application.** This Act shall apply to all residential real estate  
10 rental or lease agreements on Guam, and to any renewals, modifications, or  
11 extensions of such agreements upon enactment. The provisions of this Act shall not  
12 be waived or modified by the agreement of the parties under any circumstances.

13        **Section 4. Severability.** If any provision of this Act or its application to  
14 any person or circumstance is held invalid, the invalidity does not affect other  
15 provisions or applications of this Act which can be given effect without the invalid  
16 provision or application, and to this end the provisions of this Act are severable.

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

October 25, 2019

Senator Clynton E. Ridgell  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedro" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

# MEMO

To: Rennae Meno  
Clerk of the Legislature

From: Senator Régine Biscoe Lee  
Chair, Committee on Rules

Re: Fiscal Note Waiver for Bill No. 214-35 (LS)

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*Buenas yan Håfa adai.*

Attached, please find the fiscal note waiver for the following bill:

Bill No. 214-35 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





## BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR  
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**OCT 22 2019**

Senator Régine Biscoe Lee  
Chairperson, Committee on Rules  
*I Mina'trentai Singko Na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

*Hafa Adai!* Senator Biscoe Lee:

The Bureau requests that Bill No. 214-35 (LS) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 214-35 (LS) seeks to add a new Article 5 to Chapter 48, Title 21 of the Guam Code Annotated relative to statutory changes to tenancy agreements.

The provisions in the proposed legislation are not anticipated to have any fiscal impact to tax rates.

The Bill is administrative in nature and poses no fiscal impact upon any gross receipts taxes.

LESTER L. CARLSON, JR.





# SENATOR Joe S. San Agustin

*I Mina' trentai Singko na Liheslaturan Guåhan Thirty-Fifth Guam Legislature*

## COMMITTEE VOTE SHEET

**BILL NO. 214-35 (LS)** – *As Introduced by Senator Mary Camacho Torres* - **AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 48, TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LEASE PROTECTIONS FOR TENANTS WHO ARE VICTIMS OF FAMILY VIOLENCE, SEXUAL ASSAULT, OR STALKING; AND TO FURTHER CITING THIS ACT AS THE "GUAM SAFE HOUSING ACT OF 2019."**

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Joe S. San Agustin <i>Chairman</i>		✓				
Senator Amanda L. Shelton <i>Vice Chairperson (Gen Govt Operations, &amp; Housing)</i>		✓ 2/10/2020				
Speaker Tina Muña Barnes <i>Member</i>						
Senator William M. Castro <i>Member</i>				✓		
Senator Régine Biscoe Lee <i>Member</i>						
Senator Kelly G. Marsh (Taitano), Ph.D. <i>Member.</i>		✓ 2/10/2020				
Senator James C. Moylan <i>Member</i>		✓ 2/10/20				
Senator Louise B. Muña <i>Member</i>						
Senator Clynton E. Ridgell <i>Vice Chairperson (Appropriation)</i>						
Senator Jose "Pedro" Terlaje <i>Member</i>		✓ 2/10/2020				
Senator Therese M. Terlaje <i>Member</i>						

**Committee Chairman:** General Government Operations, Appropriations, and Housing  
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