

INTERMEDIATE COURT OF APPEALS OF THE STATE OF HAWAI‘I

Honma v. Aana

No. CAAP-XX-XXXXXXX, Intermediate Court of Appeals of the State of Hawai‘i (April 13, 2026)

SUMMARY

The Hawai‘i Intermediate Court of Appeals affirmed the dismissal without prejudice of Russell Honma’s landlord-tenant complaint for summary possession, unpaid rent, and damages. The court concluded that the complaint appeared to have been filed before expiration of the required 45-day termination notice for a month-to-month tenancy under Hawai‘i Revised Statutes § 521-71(a). The court also declined to review other alleged errors because the appellant did not provide an adequate record, including a transcript of the trial.

CASE DETAILS

COURT	Intermediate Court of Appeals of the State of Hawai‘i
WRITING FOR THE COURT	Clyde J. Wadsworth; Sonja M.P. McCullen; Kimberly T. Guidry
JURISDICTION	Intermediate Court of Appeals of the State of Hawai‘i
DECIDED	April 13, 2026
DOCKET	CAAP-XX-XXXXXXX
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff appealed from the district court's dismissal without prejudice of his complaint for summary possession, unpaid rent, and damages.
STANDARD OF REVIEW	The court reviewed the alleged errors based on the record provided and declined to review matters requiring a transcript of the trial.
PRECEDENTIAL VALUE	unpublished
PARTIES	Russell Honma v. Sheana K. Aana, Mahina K. Homalon, Samson M. Aana, Uillani K. Aana

TOPICS

- landlord tenant
- eviction
- appellate procedure
- civil procedure
- preservation of error

PRACTICE AREAS

- landlord-tenant law
- appellate procedure
- civil procedure
- real estate remedies

QUESTIONS PRESENTED

1. Whether the district court erred by dismissing Honma's complaint without prejudice as premature when the complaint was filed before expiration of the 45-day termination notice period for a month-to-month tenancy.
2. Whether the appellate court could review alleged errors relating to the evidence presented at trial and the district court's reasoning when the appellant failed to provide a transcript of the trial.

HOLDINGS

1. The dismissal without prejudice was properly affirmed because the complaint appears to have been filed before expiration of the 45-day termination period required for termination of a month-to-month tenancy under Hawai‘i Revised Statutes § 521-71(a).
2. The court could not review alleged errors based on the evidence presented at trial or the district court's related reasoning because Honma failed to provide a transcript of the pertinent trial proceedings.

KEY QUOTATIONS

“The burden is upon appellant in an appeal to show error by reference to matters in the record, and he or she has the responsibility of providing an adequate transcript.” (at 3)

“The claims were not ripe upon filing the complaint.” (at 2)

FACTUAL BACKGROUND

The defendants became month-to-month tenants of Honma's property in 2019 after a fixed term that began on November 1, 2018. Honma served an eviction notice dated September 15, 2023, requiring the defendants to quit and deliver possession within 45 days of the next payment date. He filed the complaint on October 3, 2023, apparently before the 45-day notice period expired, and also alleged that the defendants had not vacated and had damaged the property.

PROCEDURAL HISTORY

Honma filed a landlord-tenant complaint against the defendants. Following a bench trial, the District Court of the Third Circuit orally dismissed the complaint without prejudice as prematurely filed and entered a written dismissal order on March 23, 2026. The Intermediate Court of Appeals temporarily remanded the case for entry of an appealable order and then reviewed the appeal, affirming the dismissal.

DISPOSITION

affirmed

CASES CITED

- Marvin v. Pflueger, 127 Hawai‘i 490, 496, 280 P.3d 88, 94 (2012)
- Morgan v. Plan. Dep't, Cnty. of Kauai, 104 Hawai‘i 173, 180–81, 86 P.3d 982, 989–90 (2004)
- Bettencourt v. Bettencourt, 80 Hawai‘i 225, 230, 909 P.2d 553, 558 (1995)

- Union Bldg. Materials Corp. v. The Kakaako Corp., 5 Haw. App. 146, 151, 682 P.2d 82, 87 (1984)
- Tradewinds Hotel, Inc. v. Cochran, 8 Haw. App. 256, 266, 799 P.2d 60, 67 (1990)

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