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## A BILL FOR AN ACT

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 521, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§521-    Application screening fee. (a) When a landlord  
5 or the landlord's agent receives a request to rent a residential  
6 property from an applicant, the landlord or the landlord's agent  
7 may charge the applicant an application screening fee to cover  
8 the costs of obtaining information about the applicant.  
9 Information sought by the landlord or the landlord's agent using  
10 the fee may include, but is not limited to, personal reference  
11 checks, tenant reports, and credit reports produced by any  
12 consumer credit reporting agency. If an applicant provides the  
13 applicant's own credit report, a landlord or the landlord's  
14 agent shall accept and rely upon that credit report if it was  
15 issued within two weeks of its presentation.

16           (b) The amount of the application screening fee shall not  
17 be greater than the actual out-of-pocket costs of gathering



1 information concerning the applicant, including, but not limited  
2 to, the cost of using a tenant screening service or a consumer  
3 credit reporting service.

4 (c) If an application screening fee has been paid by the  
5 applicant, the landlord or the landlord's agent shall provide to  
6 the applicant, within ten days of obtaining the report, a copy  
7 of any report obtained using the fee.

8 (d) The landlord or the landlord's agent shall return any  
9 amount of the screening fee that is not used for the purposes  
10 authorized by this section to the applicant.

11 (e) For the purposes of this section,

12 "Consumer credit reporting agency" has the same meaning as  
13 in section 489P-2.

14 "Credit report" has the same meaning as in section 489P-2."

15 SECTION 2. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 1, 2015.

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INTRODUCED BY:

*Kal R. Blank*

JAN 21 2015



# H.B. NO. 33

**Report Title:**

Residential Landlord-Tenant Code; Application Screening Fee;  
Tenant Report; Consumer Credit Report

**Description:**

Allows landlord to collect actual cost of application screening fee from prospective tenant. Requires landlord to refund application screening fee if landlord does not obtain report. Requires landlord to provide copy of report to applicant.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

