
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; administrative fee for
5 screening. (a) When a landlord or the landlord's agent
6 receives a request to rent residential property from an
7 applicant, the landlord or the landlord's agent may charge the
8 applicant an application screening fee at the time the applicant
9 will be processed for the residential property, to cover the
10 costs of obtaining information about the applicant. Information
11 sought by the landlord or the landlord's agent charging the fee
12 may include personal reference checks, tenant reports, and
13 credit reports produced by any consumer credit reporting agency.

14 (b) The amount of the application screening fee shall not
15 be greater than the actual out-of-pocket costs of gathering
16 information concerning the applicant, including the cost of



1 using a tenant screening service or a consumer credit reporting
2 service.

3 (c) When information is sought pursuant to subsection
4 (a), the landlord or landlord's agent may also charge the
5 applicant an administrative fee in an amount no greater than
6 fifty per cent of the application screening fee, as calculated
7 pursuant to subsection (b).

8 (d) If an application screening fee has been paid by the
9 applicant, the landlord or the landlord's agent shall provide to
10 the applicant a copy of any report obtained with the fee within
11 ten days of obtaining the report.

12 (e) The landlord or the landlord's agent shall return to
13 the applicant any amount of the application screening fee that
14 is not used for the purposes authorized by this section.

15 (f) For the purposes of this section,

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

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

19 SECTION 2. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

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

Description:

Allows a landlord, when processing an application to rent residential property to charge an application screening fee for the actual costs of screening the applicant, plus an additional administrative fee. Requires landlords to refund any unused amount of the application screening fee and provide a copy of any report obtained via the screening process to the applicant.
(HB33 HD1)

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

