STAND. COM. REP. NO.

カカ

Honolulu, Hawaii

February 9, 201

RE: H.B. No. 33 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 33 entitled:

"A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE,"

begs leave to report as follows:

The purpose of this measure is to allow a residential landlord or the landlord's agent to charge prospective tenants an application screening fee to cover the actual costs of obtaining background information on the applicant.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Catholic Charities Hawaii, PHOCUSED, and one concerned individual testified in support of this measure. The Consumer Data Industry Association testified in opposition to the bill. The Hawaii Association of REALTORS provided comments.

Your Committee has amended this measure by:

- (1) Limiting the charging of an application screening fee to when an application is actually processed;
- (2) Deleting language that would have required a landlord or landlord's agent to accept and rely upon a recent credit report provided by the applicant;

- (3) Allowing the landlord or landlord's agent to charge an additional administrative fee of no more than 50 percent of the application screening fee that is charged;
- (4) Changing the effective date to July 1, 2050, to promote further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 33, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 33, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Housing,

MARK J. HASHEM, Chair

## State of Hawaii House of Representatives The Twenty-eighth Legislature HSCR 33

## Record of Votes of the Committee on Housing

Bill/Resolution No.: HO 33	Committee Referral:	FIN	Date: a/a/ao	15
The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WI	R) Nays	Excused
1. HASHEM, Mark J. (C)	<b>√</b>			
2. JORDAN, Jo (VC)				
3. BELATTI, Della Au				
4. CARROLL, Mele GS				
i. Critico Del, Mete — p				
5. CREAGAN, Richard P.				
6. KOBAYASHI, Bertrand		<u> </u>		
7. MORIKAWA, Dee				<u> </u>
8. OSHIRO, Marcus R.				
o. Oshiko, marcus k.	V			
9. FUKUMOTO CHANG, Beth	<b>√</b>			
TOTAL (8)	7			1
The recommendation is:  Adopted  If joint referral,  committee acronym(s)  Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				