

JAN 18 2019

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 from an applicant to
6 rent residential property, the landlord or the landlord's agent
7 may charge the applicant an application screening fee at the
8 time the application is processed for the residential property
9 to cover the costs of obtaining information about the applicant.
10 Information sought by the landlord or the landlord's agent
11 charging the fee may include personal reference checks, tenant
12 reports, and credit reports produced by any consumer credit
13 reporting agency.
14 (b) The amount of the application screening fee shall not
15 exceed \$25. A landlord or the landlord's agent may charge only
16 one application screening fee per application and shall not



1 charge an application screening fee for each member of a
2 household.

3 (c) Within ten days of a request by the applicant, the
4 landlord or the landlord's agent shall provide to the applicant
5 a receipt for payment of the application screening fee and a
6 copy of any report obtained by the landlord or landlord's agent
7 as a result of the applicant paying the screening fee.

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

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, 2019.

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INTRODUCED BY:

Paul Rhoad



S.B. NO. 421

Report Title:

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

Description:

Allows a landlord or landlord's agent to charge an application screening fee as part of the applicant screening process for renting residential property. Limits the amount that may be charged for an application screening fee. Requires the landlord or agent to return any unauthorized fee amounts to the applicant.

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

