

JAN 20 2023

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) Upon request by the applicant, the landlord or the
4 landlord's agent shall provide to the applicant a receipt for
5 payment of the application screening fee and a copy of any
6 report obtained by the landlord or landlord's agent within ten
7 days of the applicant's request.

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 within
11 thirty days after the landlord has submitted screening requests.

12 (e) For the purposes of this section, the terms "consumer
13 credit reporting agency" and "credit report" shall have the same
14 meanings 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, 2023.

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INTRODUCED BY: Karl Rhoad



S.B. NO. 930

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 at the time a rental application is processed for residential property. Caps the amount of an application screening fee at \$25 and prohibits fees to be charged for each member of a household. Requires the landlord or landlord's agent to provide a receipt for payment of the application screening fee and copy of any report obtained, if requested by the applicant, and within ten days of the applicant's request. Requires the landlord or landlord's 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.

