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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 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 applicant is processed for the residential property, to  
9 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 be greater than the actual cost of using a tenant screening  
16 service or a consumer credit reporting service.



1        (c) Upon request by the applicant, the landlord or the  
 2 landlord's agent shall provide to the applicant a receipt for  
 3 payment of the application screening fee and a copy of any  
 4 report obtained by the landlord or landlord's agent. The  
 5 landlord or the landlord's agent may charge the applicant an  
 6 administrative fee and postage based on the actual expenses  
 7 incurred in providing a copy of the report to the applicant.

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 upon a date to be  
 20 determined.



**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. Sets limits on the amount of the application screening fee and requires the landlord or agent to return any unauthorized fee amounts to the applicant. Allows the landlord or agent to charge an applicant an administrative fee and postage based on the actual expenses incurred in providing a copy of a report to the applicant. (HB223 HD1)

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

