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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 to rent residential  
6 property from an applicant, the landlord or the landlord's agent  
7 may charge the applicant an application screening fee at the  
8 time the applicant will be processed for the residential  
9 property, to cover the costs of obtaining information about the  
10 applicant. Information sought by the landlord or the landlord's  
11 agent charging the fee may include personal reference checks,  
12 tenant reports, and credit reports produced by any consumer  
13 credit 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 with the fee  
 5 within ten days of obtaining the report.

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

9        (e) For the purposes of this section:

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

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

13        SECTION 2. This Act does not affect rights and duties that  
 14 matured, penalties that were incurred, and proceedings that were  
 15 begun before its effective date.

16        SECTION 3. New statutory material is underscored.

17        SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY: Hal Rhoad



# S.B. NO. 130

**Report Title:**

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

**Description:**

Allows a landlord, when processing an application to rent residential property, to charge an application screening fee for the actual cost of screening the applicant. Requires landlords to refund any unused amount of the application screening fee and, upon request, provide a receipt of the fee and a copy of any report obtained via the screening process 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.*

