

STAND. COM. REP. NO. **2944**

Honolulu, Hawaii

**FEB 27 2020**

RE: S.B. No. 2752

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 2752 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow a landlord or a landlord's agent to charge an application screening fee as a part of the applicant screening process for renting residential property;
- (2) Limit the amount that may be charged for an application screening fee to \$25; and
- (3) Require the landlord or landlord's agent to return any unauthorized fee amounts to the applicant.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs Office of Consumer Protection. Your Committee received testimony in opposition to this measure from the Chinatown Gateway Plaza Tenant Association and Unite Here Local 5.

Your Committee finds that existing law does not specifically regulate the nature and amount of application fees that landlords may charge prospective tenants. According to testimony received



by your Committee, the Office of Consumer Protection has received allegations over the years from prospective tenants, claiming that the costs of their application fees do not correlate with the costs of background and credit checks. Your Committee further finds that this measure will deter the abusive practice of excessive application fees and protect valid applicants of residential rentals in Hawaii's tight housing market.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2752 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,

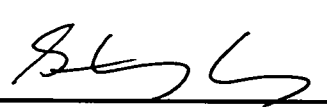


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ROSALYN H. BARER, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:* <b>SB 2752</b>	Committee Referral: <b>CPH</b>	Date: <b>02/20/20</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.				✓
THIELEN, Laura H.				✓
WAKAI, Glenn	✓			
FEVELLA, Kurt			✓	
<b>TOTAL</b>	<b>3</b>		<b>1</b>	<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; font-family: cursive;">  </div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes