

Honolulu, Hawaii

February 5, 2016

RE: H.B. No. 33

H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 33, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow a landlord, subject to certain conditions, to charge an application screening fee, consisting of the actual costs of screening the applicant, plus an additional administrative fee; when processing an application to rent residential property.

The Office of Hawaiian Affairs, Catholic Charities Hawaii, FACE-Faith Action for Community Equity, and an individual testified in support of this measure. The Department of Commerce and Consumer Affairs testified in opposition to this measure. The Hawaii Association of Realtors provided comments on this measure.

Your Committee has amended this measure by:

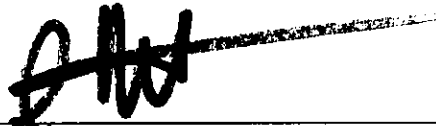
- (1) Specifying that the application screening fee shall not be greater than the actual cost of using a tenant screening service or a consumer credit reporting service;
- (2) Removing the provision allowing a landlord to collect the additional administrative fee;



- (3) Requiring a landlord, upon request by an applicant, to provide a copy of the receipt for the fee or copy of any report; and
- (4) Changing the effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 33, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 33, H.D. 2.

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



ANGUS L.K. MCKELVEY, Chair



