

STAND. COM. REP. NO.

324

Honolulu, Hawaii

February 14, 2017

RE: H.B. No. 223
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 223
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:

- (1) Allow a landlord or landlord's agent to charge an application screening fee as part of the applicant screening process for renting residential property; and
- (2) Set limits on the amount of the application screening fee and require the landlord or landlord's agent to return any unauthorized fee amounts to the applicant.

The Department of Commerce and Consumer Affairs Office of Consumer Protection testified in support of this measure. The Hawaii Association of Realtors opposed this measure. The Consumer Data Industry Association commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the 10-day time limit in which a landlord or landlord's agent must provide a receipt to the applicant for payment of the application screening fee and a copy of any report obtained by the landlord or agent;

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- (2) Authorizing the landlord or landlord's 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;
- (3) Changing its effective date to take effect upon a date to be determined, to facilitate further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 223, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Housing,



TOM BROWER, Chair



