

JAN 21 2022

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# A BILL FOR AN ACT

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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 application is processed for the residential property  
9       to 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      exceed \$25. A landlord or the landlord's agent may charge only  
16      one application screening fee per application and shall not



1 charge an application screening fee for each member of a  
2 household.

3 (c) Upon request by the applicant, the landlord or the  
4 landlord's agent shall provide to the applicant a receipt for  
5 payment of the application screening fee and a copy of any  
6 report obtained by the landlord or landlord's agent within ten  
7 days of the applicant's request.

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, the terms "consumer  
12 credit reporting agency" and "credit report" shall have the same  
13 meanings as in section 489P-2."

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

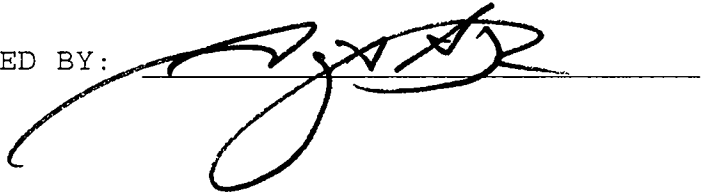
17 SECTION 3. New statutory material is underscored.  
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1       SECTION 4.   This Act shall take effect on July 1, 2022.

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INTRODUCED BY:

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be a cursive representation of a name.

# S.B. NO. 2877

**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 at the time a rental application is processed for residential property. Caps the amount of an application screening fee at \$25 and prohibits fees to be charged for each member of a household. Requires the landlord or landlord's agent to provide a receipt for payment of the application screening fee and copy of any report obtained, if requested by the applicant, and within ten days of the applicant's request. Requires the landlord or landlord's agent to return any unauthorized fee amounts 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.*

