STAND. COM. REP. NO. **973** -22

Honolulu, Hawaii

FEB 18 , 2022

RE: H.B. No. 2139

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2139, 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 regulate the process for application screening fees for dwellings made available for rent under the Residential Landlord-Tenant Code.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Hawaii State Council on Developmental Disabilities, and Partners In Care. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Catholic Charities Hawai'i.

Your Committee finds that rental units serve a vital role in ensuring residents of the State have housing. However, under existing law, prospective tenants are not protected from and are susceptible to being assessed excessively large application fees. These application fees can range from \$50 to \$100, although the actual cost of performing any of the necessary background or

credit checks on a prospective tenant range from \$10 to \$25. This measure will curb this unscrupulous practice by requiring unused application fees to be returned to applicants.

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. 2139, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

AARON LNG JOHANSON, Chair

State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2139, HD1	Committee Referral: HSG, CPC, F	Date: 2-16-22		
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	V			
2. KITAGAWA, Lisa (VC)				
3. AQUINO, Henry J.C.				
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4. HAR, Sharon E.	3/		The Marie Committee of the Committee of	
5. HASHEM, Mark J.	V		Editoria and Company of the Company of the Company	
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6. KONG, Sam Satoru		V		
7. MIZUNO, John M.				
8. MORIKAWA, Dee				
9. ONISHI, Richard H.K.			and printing and the second	
7. Oldsti, Kenard II.K.	· ·			
10. TARNAS, David A.				
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	10		0	0
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				