

**APPENDIX:**  
**State Laws Specifically Regulating Rental  
Housing Junk Fees\* \*\***

| STATE             | PROVISION(S)   | SUMMARY   |
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| <b>California</b> | Cal Civ. Code §§ 1950.1, 1950.6  | <p><b>Reusable tenant screening report.</b> If applicant provides reusable tenant screening report to landlord that accepts them, landlord may not charge a fee for the landlord to access report or an application screening fee. <b>§ 1950.1.</b></p> <p><b>Application screening fee.</b> Landlords may charge an application screening fee to cover actual costs up to a maximum of \$30. <b>§ 1950.6.</b></p> <p><b>Screening fees when no units available.</b> Unless applicant agrees in writing, landlord may not charge a screening fee when they know or should have known that no rental unit is available or will be available within a reasonable period of time. <b>§ 1950.6.</b></p> <p><b>Documentation of screening fee and refund requirement.</b> Landlord must provide an itemized receipt. If landlord does not perform a personal reference check or does not obtain a consumer credit report, they must return any amount of the screening fee not used. <b>§ 1950.6.</b></p> <p><b>Copy of report where screening fee paid.</b> If screening fee has been paid, and if requested by the applicant, landlord must provide a copy of the credit report to the applicant. <b>§ 1950.6.</b></p> |
| <b>Colorado</b>   | Colo. Rev. Stat. Ann. §§ 38-12-105, 38-12-106, 38-12-801, 38-12-903, 38-12-904 | <p><b>Late fee.</b> Landlord prohibited from charging a tenant a late fee unless rent payment is late by 7 days and the fee is disclosed in the rental agreement. Landlord may not charge more than \$50 or 5% of the amount of past due rent. Landlord may not impose a late fee more than once for each payment unless the total amount of such late fees does not exceed \$50 or 5% of the amount of past due rent. Landlord may not charge interest on a late fee. Colo. Rev. Stat. Ann. <b>§ 38-12-105.</b></p> <p><b>Pet rent.</b> Landlord may not charge additional rent as a condition of permitting the tenant's pet to reside at the premises in an amount greater than \$35 per month or .5% per month of the tenant's monthly rent, whichever amount is greater. Colo. Rev. Stat. Ann. <b>§ 38-12-106.</b></p> <p><b>Prohibitions on rental agreement provisions.</b> A written rental agreement cannot contain certain provisions, including: a) provision that purports to affix any fee, damages, or penalty for a tenant's failure to provide</p>  |

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| Colorado<br>(cont.) |                                   | <p>notice of nonrenewal of the rental agreement before the end of the agreement, except for actual losses incurred as a result of the failure, b) provision that requires tenant to pay a markup or fee for service for which landlord is billed by a third party, except that a written agreement may include a provision requiring tenant to either pay a markup or fee in an amount not exceeding 2% of the amount that the landlord was billed or does not exceed a total of \$10 per month. <b>§ 38-12-801.</b></p> <p><b>Application fee.</b> Landlord prohibited from charging rental application fee unless they use the entire amount to cover their costs (as defined in the statute) in processing the application. Landlord prohibited from charging application fee: (a) that is different in amount than a fee charged to another prospective tenant who applies to rent the same dwelling unit or if the landlord offers more than one dwelling unit for rent at the same time, any other dwelling unit the landlord offers or (b) if the prospective tenant provides a portable tenant screening report. <b>§ 38-12-903.</b></p> <p><b>Disclosure and documentation of application fee.</b> A landlord must provide any prospective tenant who paid a fee a disclosure of anticipated expenses or an itemization of actual expenses and a receipt and must remit any part of the fee it does not use. <b>§ 38-12-903.</b></p> <p><b>Reusable tenant screening report.</b> Landlord must accept a portable tenant screening report except under certain specified circumstances and shall not charge a prospective tenant a fee to access or use it. Before taking any action relating to tenant screening for which landlord would expect to collect an application fee, landlord must advise the prospective tenant that if they provide landlord with a portable tenant screening report, landlord is prohibited from charging a rental application fee or charging a fee for landlord to access or use the report. Landlord is exempt from this provision if they 1) do not accept more than one application fee at a time for a dwelling unit or, if unit is rented to more than one occupant does not accept more than one application fee at a time for each tenant or tenant group and 2) refund the total amount of the application fee within 20 calendar days after written communication declining to enter into a lease. <b>§ 38-12-903.</b></p> |
| Connecticut         | Conn. Gen. Stat. §§ 47a-4, 47a-4d | <b>Prohibitions on rental agreement provisions.</b> Rental agreement prohibited from providing that the tenant agrees to: pay the landlord's attorney's fees in excess of  |

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| Connecticut<br>(cont.) |   | <p>15% of any judgment against the tenant in any action in which money damages are awarded, pay a late charge prior to expiration of grace period, pay a late charge on rent payments made subsequent to a grace period in an amount exceeding amounts set forth in § 47a-15a, or pay a heat or utilities surcharge if heat or utilities is included in the rental agreement. <b>§ 47a-4.</b></p> <p><b>Fees permitted at the beginning of a tenancy.</b> Landlord may not demand a fee for review or acceptance of a rental application or any other fee before or at the beginning of a tenancy, except a security deposit, advance payment for the first month's rent or a deposit for a key or any special equipment, or a fee for a tenant screening report. Landlord may not charge a move-in or move-out fee. <b>§ 47a-4d.</b></p> <p><b>Tenant screening fee.</b> Landlord may charge a fee not exceeding \$50 (subject to adjustment for inflation) for a tenant screening report. <b>§ 47a-4d.</b></p> <p><b>Copy of report where tenant screening fee paid.</b> Landlord that charges a fee for a tenant screening report must provide a copy of the report or, if landlord is prohibited from providing a copy, information that would allow a tenant to request a copy from the screener, and a copy of the receipt or invoice from the screener. <b>§ 47a-4d.</b></p> |
| Hawai'i                | Haw. Rev. Stat. § 521-46  | <p><b>Application screening fee and documentation.</b> Landlord or landlord's agent may charge an application screening fee to cover costs of obtaining information of applicant who is 18 or older or an emancipated minor. Upon applicant's request, landlord shall provide a receipt of the screening fee and breakdown of costs.</p> <p><b>Refund requirements for screening fee.</b> Landlord shall return any amount of screening fee not used for authorized purposes within 30 days after landlord submitted screening requests.</p>  |
| Idaho                  | Idaho Code Ann. § 55-314  | <p><b>Reasonable fees.</b> Any fees, including late fees, must be reasonable.</p> <p><b>Disclosure of fees.</b> Landlord may not charge higher fees than listed in rental agreement or fees not included in the rental agreement unless the agreement is oral or landlord provides 30 day notice.</p>   |
| Illinois               | <a href="#">H.B. 4926</a> (to be codified at 765 Ill. Comp. Stat. 705/25) | <p><b>Reusable tenant screening report.</b> If prospective tenant provides a reusable tenant screening report that meets certain criteria, landlord may not charge a fee to access the report or an application screening fee.</p>  |

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| Illinois<br>(cont.) |   | Landlord permitted to collect and process an application in addition to the report provided, as long as prospective tenant is not charged an application a screening fee for additional report.  |
| Maine               | Me. Rev. Stat. tit. 14, § 6030-H          | <p><b>Application fee.</b> Landlord may not require an applicant to pay a fee to submit an application to enter into a rental agreement or require an applicant to pay a fee for the landlord to review or approve an application.</p> <p><b>Screening fee.</b> Landlord may require an applicant to pay the actual cost of one of the following: background check, credit check, or other screening process.</p> <p><b>Copy of report where fee paid.</b> Landlord may not charge any fee unless they have notified the applicant that landlord is required to provide the applicant a complete copy of information obtained pursuant to background check, credit check, or other screening process.</p> <p><b>One screening fee per 12-month period.</b> Landlord may not charge more than one fee for background check, credit check, or other screening process in any 12-month period.</p>                                  |
| Maryland            | Md. Code Ann., Real Prop. §§ 8-213, 8-218 | <p><b>Screening fee and refund requirement.</b> If landlord requires fees from a prospective tenant other than a security deposit and these fees exceed \$25, then landlord shall return the fees. The return of fees shall be made not later than 15 days following date of occupancy or written communication by either party, of a decision that no tenancy shall occur. Landlord may only retain portion of fees actually expended for a credit check or other expenses arising out of the application, and shall return that portion of fees not actually expended on behalf of tenant making application. <b>§ 8-213.</b></p> <p><b>Reusable tenant screening report.</b> If prospective tenant provides a reusable tenant screening report to a landlord that accepts such reports, landlord may not charge the prospective tenant a fee for the landlord to access the report or an application fee. <b>§ 8-218.</b></p> |
| Massachusetts       | Mass. Gen. Laws Ann. ch. 186, § 15B       | <b>Fees permitted at the beginning of a tenancy.</b> At or before commencement of tenancy, landlord prohibited from requiring tenant or prospective tenant from paying any amount in excess of rent for first full month, rent for last full month, security deposit, and purchase and installation cost for key and lock.   |

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| Minnesota | Minn. Stat. §§ 504B.120, 504B.173, <a href="#">S.F. 3492</a> (to be codified at Minn. Stat. §§ 504B.113, 504B.177) | <p><b>Disclosure of nonoptional fees.</b> Landlord must disclose all nonoptional fees in lease agreement. Sum total of rent and all nonoptional fees must be described as Total Monthly Payment and be listed on first page of lease. Unit advertised for rent must disclose nonoptional fees included with total amount for rent in any ad or posting. In lease agreement disclosure or unit ad, landlord must disclose whether utilities are included or not in rent. <b>§ 504B.120.</b></p> <p><b>Screening fee when no unit is available, documentation requirement, and use of screening fee.</b> Landlord may not: (1) charge screening fee when landlord knows or should have known that no rental unit is available at that time or will be available within a reasonable future time; (2) collect or hold screening fee without providing receipt upon request; (3) use, cash, or deposit a screening fee until all prior applicants have either been screened and rejected, or offered the unit and declined to enter into rental agreement. <b>§ 504B.173.</b></p> <p><b>Refund requirements for screening fee.</b> Landlord must return screening fee if: (1) applicant is rejected for any reason not listed in required disclosure; (2) prior applicant is offered the unit and agrees to enter into rental agreement; (3) if landlord does not perform a personal reference check or does not obtain a credit or tenant screening report, landlord must return any amount of screening fee that is not used for those purposes. <b>§ 504B.173.</b></p> <p><b>Requirements when screening fee paid, including disclosure requirement.</b> If landlord accepts a screening fee, must: (1) disclose in writing prior to accepting fee (a) the name and information of tenant screening service the landlord will use and (b) criteria on which the decision to rent will be based; (2) notify applicant within 14 days of rejection, identify criteria they failed to meet. <b>§ 504B.173.</b></p> <p><b>Service or support animals.</b> Landlord must not require tenant with reasonable accommodation to pay an additional fee, charge, or deposit for service or support animal. If landlord requires an additional fee, charge, or deposit pursuant to a pet policy, landlord must disclose in the lease the prohibition additional fees, charges, or deposits for service or support animals. <b>S.F. 3492</b> (to be codified at <b>§ 504B.113</b>).</p> <p><b>Late fee.</b> Landlord may not charge late fee if rent is paid after due date, unless tenant and landlord have agreed in writing that late fee may be imposed. Agreement</p> |

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| Minnesota<br>(cont.) |  | must specify when late fee will be imposed. Late fee may not exceed 8% of overdue rent payment. Any late fee collected is not considered interest or liquidated damages. Late fee must be calculated and assessed only on portion of rent payable by tenant. <b>S.F. 3492</b> (to be codified at <b>§ 504B.177</b> ).   |
| Nevada               | Nev. Rev. Stat. Ann. §§ 118A.210, 118A.290 | <p><b>Late fee and disclosure requirement.</b> Landlord may charge reasonable late fee for late payment of rent as set forth in rental agreement, but (a) in tenancy longer than week to week, no late fee may be charged or imposed until at least 3 calendar days after due date, (b) late fee may not exceed 5% of the amount of periodic rent, and (c) maximum amount of late fee must not be increased based upon previously imposed late fee. <b>§ 118A.210.</b></p> <p><b>Repair and maintenance fees.</b> Landlord shall not require tenant to pay any fee for performance of any repairs, maintenance tasks, or other work for which landlord has duty to perform, including any fee to cover costs of any deductible or copayment under insurance policy for home protection or service contract for performance of any such repairs, maintenance, or other work (with exception for tenant's own deliberate or negligent act or omission). <b>§ 118A.290.</b></p>  |
| New York             | N.Y. Real Prop. Law § 238-a                | <p><b>Fees at the beginning of a tenancy.</b> Landlord may not demand payment, fee, or charge for processing, review, or acceptance of an application, or demand any other payment, fee, or charge before or at the beginning of the tenancy, except background checks and credit checks.</p> <p><b>Screening fee and reusable tenant screening report.</b> Landlord may charge fee to reimburse cost associated with conducting background and credit check, provided the cumulative fee is no more than the actual cost of the check or \$20, whichever is less. Landlord must waive fee if potential tenant provides copy of a background check or credit check conducted within past 30 days.</p> <p><b>Copy of report where fee paid.</b> Landlord may not collect fees unless they provide potential tenant with copy of the background or credit check and the receipt or invoice from entity conducting the check.</p> <p><b>Late fee.</b> Landlord prohibited from demanding fee for late payment of rent unless payment has not been made within 5 days of due date, and such fee shall not exceed \$50 or 5% of the monthly rent, whichever is less.</p> |



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| Rhode Island | R.I. Gen. Laws § 34-18-59; <a href="#">H.B. 7647</a> (takes effect Jan. 1, 2025; to be codified at R.I. Gen. Laws §§ 34-18-15, 34-18-61) | <p><b>Application and screening fees, reusable tenant screening report.</b> Landlord not allowed to require or demand prospective tenant pay rental application fee. Landlord can require official state criminal background check. If prospective tenant provides required official state criminal background check or credit report, landlord may not charge fee. If prospective tenant does not provide required official state background check and/or credit report, landlord may charge a fee representing not more than actual cost of obtaining the report. <b>§ 34-18-59.</b></p> <p><b>Copy of report where fee is paid.</b> Any tenant charged a fee shall be provided with a copy of the report. <b>§ 34-18-59.</b></p> <p><b>Disclosure requirement.</b> If fees beyond the rent, lease shall disclose those fees in same section as rent disclosure and shall indicate that additional fees may apply. If no written lease, landlord shall provide in writing a list of all fees beyond the rent that apply. Any change in required fees must be disclosed in writing at least 40 days prior to effective date of change. In any lease agreement, landlord shall disclose which utility costs are included in the rent and which are tenant's responsibility. If no written lease, landlord must provide in writing. If tenant required to obtain renter's insurance, requirement must be stated in lease or if no written lease, in writing. <b>H.B. 7647</b> (to be codified at <b>§ 34-18-15</b>).</p> <p><b>Convenience fee.</b> Landlord prohibited from charging convenience fee to a tenant's rental payment (exception for any landlord that accepts a form of payment of rent which does not require a convenience fee). <b>H.B. 7647</b> (to be codified at <b>§ 34-18-61</b>).</p> |
| Utah         | Utah Code Ann. § 57-22-4   | <p><b>Disclosure requirements before acceptance of application fee or other payment.</b> Before owner accepts application fee or any other payment from prospective renter, owner shall disclose in writing (1) good faith estimate of rent amount and amount of each fixed, non-rent expense that is part of rental agreement; (2) type of each use-based, non-rent expense that is part of rental agreement, (3) day on which unit is scheduled to be available; (4) criteria owner will consider in determining prospective renter's eligibility; (5) requirements and process for prospective renter to recover money prospective renter pays in relation to unit.</p> <p><b>Late fee.</b> Owner may not charge renter late fee that exceeds greater of 10% of rent agreed to in agreement or \$25.</p>   |

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| Utah<br>(cont.) |   | <b>Disclosure of fees in rental agreement.</b> Owner may not charge renter a fee, fine, assessment, interest, or other cost in an amount greater than agreed to in the rental agreement or that is not included in rental agreement unless rental agreement is month-to-month and owner provides renter a 15-day notice.   |
| Vermont         | Vt. Stat. Ann. tit. 9, § 4456a  | <b>Application fee.</b> Landlord or agent shall not charge application fee in order to apply to enter rental agreement for residential dwelling unit.  |
| Virginia        | Va. Code Ann. §§ 55.1-1203, 55.1-1204, 55.1-1212, <a href="#">H.B. 1519</a> (to be codified at Va. Code Ann. § 55.1-1208) | <p><b>Refundable application deposit.</b> Landlord may require refundable application deposit in addition to nonrefundable application fee. <b>§ 55.1-1203.</b></p> <p><b>Application fee.</b> Application fee cannot exceed \$50, exclusive of any actual out-of-pocket expenses paid by landlord to third party performing background, credit, or other pre-occupancy checks on applicant. However, where application made for a public housing or other unit subject to regulation by HUD, application fee shall not exceed \$32, exclusive of any actual out-of-pocket expenses paid to a third party by landlord performing background, credit, or other pre-occupancy checks on the applicant. <b>§ 55.1-1203.</b></p> <p><b>Late fee.</b> Landlord cannot charge a tenant for late payment of rent unless charge is included in written rental agreement. Late charge cannot exceed the lesser of 10% of the periodic rent or 10% of the remaining balance due and owed by tenant. <b>§ 55.1-1204.</b></p> <p><b>Disclosure of fees in rental agreement.</b> Landlord required to provide, beginning on first page of written rental agreement, description of any rent and fees to be charged to tenant in addition to periodic rent. Immediately above list of fees, written agreement must state: “No fee shall be collected unless it is listed below or incorporated into this agreement by way of a separate addendum after the execution of this rental agreement.” <b>§ 55.1-1204.1.</b></p> <p><b>Energy and utility-related fees.</b> If energy submetering equipment, energy allocation equipment, or water and sewer submetering equipment is used, building owner may charge and collect from tenant additional service charges, including monthly billing fees, account set-up fees, or account move-out fees to cover actual costs of administrative expenses and billing charged to owner by third-party provider of such services, provided that such charges are in rental agreement. Owner may require</p> |



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| Virginia<br>(cont.) |                             | <p>tenant to pay a late charge of up to \$5 if tenant fails to make payment when due. Almost identical scheme applies if ratio utility billing system is used. <b>§ 55.1-1212.</b></p> <p><b>Administrative fees.</b> Landlord may charge and collect additional service charges, including monthly billing fees, account set-up fees, or account move-out fees, to cover actual cost of administration expenses for administration of program that uses formula for allocating actual or anticipated local government fees billed to owner among tenants if stated in rental agreement. <b>§ 55.1-1212.</b></p> <p><b>Transaction fee.</b> Landlord prohibited from charging tenant any transaction or processing fee or similar surcharge for use of electronic fund transfer, for the payment of a security deposit, rent, or any other amounts payable. <b>H.B. 1519</b> (to be codified at Va. Code Ann. <b>§ 55.1-1208</b>)</p> |
| Washington          | Wash. Rev. Code § 59.18.257 | <p><b>Reusable tenant screening report.</b> If landlord indicates willingness to accept a comprehensive reusable tenant screening report, landlord may access their own report regarding a prospective tenant as long as the prospective tenant is not charged.</p> <p><b>Disclosure requirements before acceptance of screening fee.</b> Landlord may charge prospective tenant for actual costs incurred in obtaining tenant screening report or for conducting their own screening only if landlord provides specified required information, such as what types of information will be accessed to conduct the screening, the criteria that may result in denial, information about the consumer reporting agency used, whether landlord will accept a reusable tenant screening report.</p>   |

\* Because “rental housing junk fees” can include an expansive list of fees, we may not have captured every single relevant state law provision. Our research sought to capture regulation of the fees described in the NCLC report, [Too Damn High: How Junk Fees Add to Skyrocketing Rents](#), though we largely excluded laws governing security deposits, including security deposit replacement products. We also did not include laws governing junk fees in the manufactured housing context, though we are aware of at least one such law. Me. Rev. Stat. Ann. tit. 10, § 9093-A.

Other sources of state laws addressing rental housing junk fees include: Nada Hussein, Victoria Bourret, & Sarah Gallagher, Nat’l Low Income Hous. Coal., NLIHC State and Local Tenant Protection Series: A Primer on Renters’ Rights: Junk Fees Toolkit (2024), [https://nlihc.org/sites/default/files/2022-07/SLI\\_Rental\\_Fees\\_Toolkit.pdf](https://nlihc.org/sites/default/files/2022-07/SLI_Rental_Fees_Toolkit.pdf); Nat’l Low Income Hous. Coal., State and Local Innovations, Search State, Territory, Tribe or Locality, <https://nlihc.org/tenant-protections> (last visited July 31, 2024); Mariah de Leon & Natasha Duarte, Upturn, Tenants Pay the Price: The Trap of Portable Tenant Screening Reports (2024), <https://www.upturn.org/static/reports/2024/tenants-pay-the-price/files/upturn-tenants-pay-the-price.pdf>. For a discussion of security deposit replacement products, see Nat’l Hous. L. Project, Regarding Security Deposit Replacement Products (Jan. 1, 2022), <https://www.nhlp.org/wp-content/uploads/2023.01.05-Regarding-Security-Deposit-Replacement-Products.pdf>.

\*\* At least one state has recently adopted generally applicable junk fees laws or regulations. See, e.g., Cal. Civ. Code § 1770(a)(29); Rob Bonta, SB 478 - Hidden Fees, <https://oag.ca.gov/hiddenfees> (last visited Aug. 13, 2024). This chart includes only rental housing-specific laws.