**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4015**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. W. Jones, Gilliard, Henegan, Pendarvis, Jefferson, Dillard, Rivers, King and Cobb-Hunter

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Introduced in the House on February 23, 2023

Currently residing in the House

Summary: Rental housing

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/23/2023 House Introduced and read first time (House Journal‑page 11)

 2/23/2023 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 11)

 3/1/2023 House Member(s) request name added as sponsor: King,
 Cobb-Hunter

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**VERSIONS OF THIS BILL**

[02/23/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4015_20230223.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27‑33‑60 SO AS TO PROVIDE THAT CERTAIN LANDLORDS SHALL PROVIDE CERTAIN INFORMATION TO PROSPECTIVE TENANTS REGARDING FEES AND TO PROVIDE FOR CERTAIN NOTICES AFTER A DENIAL.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 33, Title 27 of the S.C. Code is amended by adding:

 Section 27‑33‑60. (A) A landlord of residential and multi‑family properties shall provide an itemized invoice and receipt detailing the use of fees and refund any unused amount of an application screening fee to the applicant.

 (B) The application screening fee may be used to obtain personal reference checks, tenant reports, and credit reports produced by any consumer credit reporting agency not to exceed seventy‑five dollars for each applicant. A landlord must charge all prospective tenants the same rental application fee.

 (C) A landlord only may consider rental history or credit history from the seven years immediately preceding the date of the application.

 (D)(1) If a landlord denies a rental application, the landlord shall provide the applicant a written notice of the denial that states the reasons for the denial. If the specific screening criteria cannot be directly cited because of the use of a proprietary screening system, the landlord instead shall provide the applicant with a copy of the report from the screening company that uses the proprietary screening system. A landlord may provide an applicant an electronic version of the denial notice unless the applicant requests a paper denial notice.

 (2) The landlord shall provide the denial notice within twenty days of making the decision to deny the applicant.

 (3) If a landlord violates the provisions of this subsection, he may be held liable to the person who is charged a rental application fee for treble the amount of the rental application fee, plus court costs and reasonable attorney’s fees.

 (4) An individual must notify the landlord seven days before filing legal action against the landlord.

 (5) A landlord who remedies a violation of this subsection not more than seven calendar days after receiving notice of the violation is not liable for damages.

 (6) A person who purposefully and in bad faith brings a meritless claim against a landlord is liable for the landlord's court costs and reasonable attorney’s fees in defending the claim.

SECTION 2. This act takes effect upon approval by the Governor.

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