



28 shall, within 15 days, return any fees paid by applicants for that unit for whom no investigation or  
29 verification has been performed.

30 (5) (a) A person whose rental application fee or processing fee has not been returned in  
31 accordance with the provisions of Subsection (4) may bring an action in any court of competent  
32 jurisdiction to recover three times the amount of the rental application fee or processing fee paid  
33 by that person.

34 (b) A plaintiff who brings a successful action under Subsection (5)(a) shall be entitled to  
35 recover court costs and reasonable attorney's fees as determined by the court.

36 (6) A rental application fee or processing fee shall not be charged if, at the time of  
37 application, the person submitting the rental application furnishes the owner of the residential  
38 dwelling unit or the owner's agent with a certified copy of the applicant's credit report from a  
39 licensed credit reporting agency and a Utah state criminal background report on the applicant  
40 which have been issued within 60 days from the date of application.

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**Legislative Review Note**  
**as of 1-5-01 10:37 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**