

SSB 5742 - S AMD 193

By Senators Hargrove, Keiser, Brandland

ADOPTED 03/11/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that local
4 governments, landlords, and tenants working together to provide crime-
5 free rental housing is beneficial to the public health, safety, and
6 welfare. The intent of this act is to provide certain requirements
7 that a local government must follow in adopting a crime-free rental
8 housing program.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW
10 to read as follows:

11 (1) A city, town, or county may adopt and implement a local
12 government crime-free rental housing program designed to reduce crime,
13 drugs, and gangs on rental properties in accordance with this section.

14 (2) Except as provided in subsection (5) of this section, a crime-
15 free rental housing program must be voluntary and may include:

16 (a) Landlord training to educate property owners and managers in
17 the basics of crime prevention on rental premises;

18 (b) Crime prevention through environmental design assessment to
19 identify crime hazards and ways to improve the safety of the premises;
20 or

21 (c) Commitments to implement and maintain crime-free activities,
22 such as proper screening of tenants, use of a crime-free addendum in
23 rental agreements, neighborhood education, and maintaining open
24 communication with law enforcement.

25 (3) A crime-free rental housing program may not:

26 (a) Prohibit a landlord from hiring or renting to individuals with
27 criminal backgrounds;

28 (b) Condition a business license or any other prerequisite to

1 owning or operating rental housing in the city, town, or county on
2 participation in the program; or

3 (c) Except as provided in subsections (4) and (5) of this section,
4 charge additional or separate fees to a landlord who does not
5 participate in the program, including fees for providing law
6 enforcement services to a landlord's rental property.

7 (4) A city, town, or county may waive all or part of the cost of a
8 landlord's business license or rental registration fee in exchange for
9 participation in the program so long as the fee does not exceed the
10 greater of the amount of a standard business license or rental
11 registration fee in the jurisdiction or seven hundred fifty dollars.

12 (5)(a) If law enforcement has investigated criminal activity on the
13 rental housing premises of a landlord on three separate occasions
14 within a three-month period and the landlord has not made a good faith
15 effort to deter the criminal activity, the city, town, or county may
16 require the landlord to do one or both of the following:

17 (i) Participate in a crime-free rental housing program;

18 (ii) Pay a monetary penalty set forth in ordinance for any police
19 call for criminal activity, not to exceed one hundred fifty dollars per
20 call, until the criminal activity is abated.

21 (b) A good faith effort may include, but is not limited to:

22 (i) Service on the tenant of a notice to comply or quit as allowed
23 by law or the commencement of an unlawful detainer action against the
24 tenant;

25 (ii) Attendance and completion of a landlord training program
26 provided by the city, town, or county;

27 (iii) Utilization of a crime-free addendum for tenants who are
28 alleged to have engaged in criminal activity; or

29 (iv) Communication with law enforcement of methods to prevent
30 criminal activity and reasonable implementation of recommended steps.

31 (6) This section does not prevent a city, town, or county from
32 charging a fee for participation in a crime-free rental housing
33 program.

34 (7) This section does not affect a city, town, or county's
35 authority to enforce existing law in regard to rental housing, except
36 in regard to a crime-free rental housing program.

37 (8) As used in this section:

1 (a) "Criminal activity" means a criminal act defined by statute or
2 ordinance that threatens the health, safety, or welfare of the tenants,
3 owner, or property manager.

4 (b) "Premises" has the same meaning as provided in RCW 59.18.030.

5 (c) "Rental housing" means any tenancy subject to chapter 59.12,
6 59.18, or 59.20 RCW."

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7 On page 1, line 1 of the title, after "housing;" strike the
8 remainder of the title and insert "adding a new section to chapter
9 35.21 RCW; and creating a new section."

EFFECT: Allows a local government to waive a landlord's business license or rental registration fee, up to a maximum of \$750, for participation in the crime-free rental housing program. Allows a local government to charge the landlord a fee or require a landlord to participate in a crime-free rental housing program if law enforcement has investigated criminal activity on the rental premises three times within a three-month period and the landlord has not made a good faith effort to deter the criminal activity. Defines steps which may constitute a good faith effort.

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