

SENATE BILL REPORT

SB 5262

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, MARCH 6, 1991

Brief Description: Requiring that utility service charges of tenants be collected from the tenant.

SPONSORS: Senators Nelson, Madsen, Thorsness, Sutherland, McCaslin, Saling and Bauer.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Madsen, and Rasmussen.

Staff: Ben Barnes (786-7465)

Hearing Dates: February 12, 1991; March 6, 1991

BACKGROUND:

Gas, electric, and water companies may place a lien against the property of a landlord if the tenant fails to pay for services rendered.

Utility companies may refuse to provide services to a residential customer who is a tenant based upon the nonpayment for services by a prior tenant.

SUMMARY:

Charges for all utility services are made to the customer receiving the service. Utility companies are prohibited from placing liens against the property of a landlord based upon the failure of a tenant to pay for services.

Utility companies are prohibited from refusing to provide service to a residential customer who is a tenant, based upon the nonpayment for services by the prior customer. The company may refuse to provide the service if the prior nonpaying customer continues to reside in the premises.

Appropriation: none

Revenue: none

Fiscal Note: requested February 8, 1991

TESTIMONY FOR:

The bill requires public utility companies to recover past due charges from the tenant who should have paid the charges and not from the landlord or the succeeding tenant.

TESTIMONY AGAINST:

Apartment owners should be responsible for electrical consumption on their rental premises because they can protect themselves from financial loss by requiring a utility deposit.

TESTIFIED: CON: Jody Hossman, Tacoma Public Utilities; Dennis Wilson, Elmhurst Mutual Light & Power; Jim Sherrill, Parkland Light & Water; Don Geiselman, Lakeview Light & Power; Gayla Gjertsen, City of Tumwater; Robert W. Noack, City of Lynnwood; Joe Daniels, WA State Assn. of Water/Waste Dist.; PRO: Kevin McCathren, Building Owners & Manager's Assn.; Peggy Ganson; Doug Neyhart, Apartment Assn. of Seattle & King County; Rob Bueber, Institute of Real Estate Management; Theresa Bosler, WA Mobile Park Owners; Rick Slunaker, Yakima Valley Rental Assn.