

HOUSE BILL ANALYSIS HB 2696

Title: An act relating to residential landlord-tenant relationships.

Brief Description: Modifying the residential landlord-tenant relationship.

Sponsors: Representatives Bush, Veloria, Van Luven, McIntire, McDonald, Sullivan, Campbell and Kenney.

Brief Summary of Bill

- Revises the landlord requirement to provide their name and address to include either the name and address of the property owner, or the property owner's agent, or the landlord.
- Makes the failure to include the name and address as a statement in the rental agreement or a notice posted on the premises a violation subject to a fine not to exceed \$500, plus court costs, but not attorney fees.
- Allows a tenant to terminate the rental agreement if the name and address requirements are not met.

HOUSE ECONOMIC DEVELOPMENT, HOUSING & TRADE COMMITTEE

Staff: Kenny Pittman (786-7392)

Background:

The State's Residential Landlord-Tenant Act (Act) governs the relationship between the renter of residential property (tenant) and the property owner or property owner's agent (landlord). The Act outlines the specific duties of the landlord and tenant.

Under the State's Residential Landlord-Tenant Act, the landlord is required to designate to the tenant the name and address of the person who is the landlord by a statement on the rental agreement or by a notice conspicuously posted on the premises. The tenant must be notified immediately of any changes by certified mail or by an updated posting. If the person listed in the statement or posted notice does not reside in the state, the statement or posted notice must list the name and address of a person that resides within the county where the property is located and is authorized to act as agent for purposes of service of notices and process. If no person is listed then the person who collects rental payments is considered the agent.

Summary of Bill:

The State's Residential Landlord-Tenant Act is amended to require that the statement in the rental agreement or a notice posted on the premises to have either the name and address of the property owner, or the property owner's agent, or the person who is the landlord. The address requirement is clarified to mean the physical location where the property owner, or the property owner's agent, or landlord resides or conducts business, but does not include a post office box.

A failure by the property owner or property owner's agent to list their name and address in the rental agreement or post a notice is a violation subject to a fine not to exceed \$500, plus court cost, but not attorneys' fees.

A tenant may terminate a rental agreement for a violation by the property owner, or the property owner's agent, or the landlord and is not liable for the remaining period in the rental agreement. The tenant is entitled to a pro-rata refund of any prepaid rent and any refund that is due on the security deposit.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.