
Local Government Committee

HB 2870

Brief Description: Making available relocation assistance payments to low-income tenants.

Sponsors: Representatives Romero, Murray, Edwards, Wood, Upthegrove and Santos.

Brief Summary of Bill

- Requires local governments to require property owners to pay up to \$2,000 to low-income tenants if a local health officer or building inspector determines that a residential property is unfit for human habitation and that determination results in eviction or displacement of tenants.
- Requires local governments to adopt procedures for determining the eligibility of tenants to relocation assistance payments.
- Allows local government to advance the cost of relocation assistance payments if a property owner fails to timely pay.
- Allows local government to assess interest and penalties on amount of unpaid relocation assistance and to recover attorneys' fees if it must initiate legal action in order to collect.
- Includes an intent section.

Hearing Date: 1/29/04

Staff: Kiki Keizer (786-7109).

Background:

Washington law provides that any city, town, county, or municipal corporation that is required to develop a comprehensive plan under the Growth Management Act may require property owners to provide their portion of reasonable relocation assistance to low-income tenants upon the demolition, change of use of residential property, removal of use restrictions in an assisted-housing development, or substantial rehabilitation whether due to code enforcement or any other reason.

In a case in which a property owner enters a rental agreement after being notified that a dwelling is condemned or is unlawful to occupy, tenants are entitled to recover either three months' rent or

up to treble damages, whichever is greater, along with deposits, prepaid rent, attorneys' fees, and costs.

The laws of Washington pertaining to relocation assistance do not consistently cover low-income tenants who are living in a residential property at the time that a building inspector or other official either condemns the property or determines that it is unlawful to occupy.

Summary of Bill:

- Requires local governments to require that property owners provide the full amount of relocation assistance (up to \$2,000) to low-income tenants if a local health officer or building inspector determines that a residential property is unfit for human habitation and that determination results in eviction or displacement of tenants.
- Requires local governments to adopt procedures for determining the eligibility of tenants to relocation assistance payments.
- Establishes a remedy for low-income tenants in cases of retaliatory eviction or constructive eviction after notification of a building code or health code violation or deficiency.
- Requires property owners to pay relocation within seven days of the time the local government sends notice of the names of eligible low-income tenants and the amounts due to each. Payment may be to each eligible tenant or by providing a certified check to the authority ordering relocation assistance.
- Allows local government to advance the cost of relocation assistance payments to eligible low-income tenants if a property owner fails to pay relocation assistance within seven days.
- Allows local government to assess interest and penalties on amount of unpaid relocation assistance.
- Allows local government to recover attorneys' fees if it must initiate legal action in order to collect unpaid relocation assistance.
- Clarifies statutory language regarding costs that may be assessed against the real property upon which the cost was incurred, allowing local government to assess cost of unpaid relocation assistance payments against the property.
- Sets forth an intent section, indicating that the purpose of the bill is to establish a process, consistent throughout the state, by which low-income tenants would receive funds for relocation from property owners who fail to provide safe and sanitary housing after due notice of building code or health code violations and to provide a review process, available to property owners and tenants, and to provide enforcement mechanisms to local governments.

Appropriation: None.

Fiscal Note: Requested on January 22, 2004.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.