

FINAL BILL REPORT

ESB 5389

C 382 L 03
Synopsis as Enacted

Brief Description: Managing clean and sober housing.

Sponsors: Senators Benton, Prentice, Winsley, Reardon, Roach, Shin, Zarelli, Regala and T. Sheldon.

Senate Committee on Financial Services, Insurance & Housing
House Committee on Judiciary

Background: The Residential Landlord-Tenant Act governs landlord-tenant relationships. Tenants living in rental housing designed to be "clean and sober housing" do not fall under the scope of the Landlord-Tenant Act.

There is a concern that the ability of a landlord to effectively deal with a tenant who violates the rules of the clean and sober housing is substantially limited by the Landlord-Tenant Act.

Summary: For housing to be designated as "drug and alcohol free," the landlord of the federally assisted housing provides a drug and alcohol free environment, and support for recovery. There is a written rental agreement that specifies the tenant and his or her guests may not use or possess alcohol or illegal drugs. The tenant participates in a program of recovery and reports quarterly to the landlord his or her progress, including verification that the tenant is not using alcohol or illegal drugs.

The landlord has the right to request a urine analysis of the tenant to confirm sobriety, at the landlord's discretion and expense.

The tenant may be evicted if he or she uses alcohol or illegal drugs, if the tenant first receives written notice from the landlord of the violation. The written notice must state that the rental agreement terminates within three days and the tenant can cure the violation within one day of delivery. If a substantially similar violation occurs twice within six months, the landlord can terminate the tenancy with a one-day written notice.

Votes on Final Passage:

Senate	45	1	
House	97	0	(House amended)
Senate			(Senate refused to concur)
House	97	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 27, 2003