

E2SHB 2163 - S COMM AMD

By Committee on Financial Institutions, Housing & Consumer
Protection

ADOPTED 04/07/2005

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

3 "NEW SECTION. **Sec. 1.** Despite laudable efforts by all levels of
4 government, private individuals, nonprofit organizations, and
5 charitable foundations to end homelessness, the number of homeless
6 persons in Washington is unacceptably high. The state's homeless
7 population, furthermore, includes a large number of families with
8 children, youth, and employed persons. The legislature finds that the
9 fiscal and societal costs of homelessness are high for both the public
10 and private sectors, and that ending homelessness should be a goal for
11 state and local government.

12 The legislature finds that there are many causes of homelessness,
13 including a shortage of affordable housing; a shortage of family-wage
14 jobs which undermines housing affordability; a lack of an accessible
15 and affordable health care system available to all who suffer from
16 physical and mental illnesses and chemical and alcohol dependency;
17 domestic violence; and a lack of education and job skills necessary to
18 acquire adequate wage jobs in the economy of the twenty-first century.

19 The support and commitment of all sectors of the statewide
20 community is critical to the chances of success in ending homelessness
21 in Washington. While the provision of housing and housing-related
22 services to the homeless should be administered at the local level to
23 best address specific community needs, the legislature also recognizes
24 the need for the state to play a primary coordinating, supporting, and
25 monitoring role. There must be a clear assignment of responsibilities
26 and a clear statement of achievable and quantifiable goals. Systematic
27 statewide data collection on homelessness in Washington must be a
28 critical component of such a program enabling the state to work with
29 local governments to count homeless persons and assist them in finding
30 housing.

1 The systematic collection and rigorous evaluation of homeless data,
2 a search for and implementation through adequate resource allocation of
3 best practices, and the systematic measurement of progress toward
4 interim goals and the ultimate goal of ending homelessness are all
5 necessary components of a statewide effort to end homelessness in
6 Washington by July 1, 2015.

7 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the
8 homelessness housing and assistance act.

9 NEW SECTION. **Sec. 3.** The definitions in this section apply
10 throughout this chapter unless the context clearly requires otherwise.

11 (1) "Department" means the department of community, trade, and
12 economic development.

13 (2) "Director" means the director of the department of community,
14 trade, and economic development.

15 (3) "Homeless person" means an individual living outside or in a
16 building not meant for human habitation or which they have no legal
17 right to occupy, in an emergency shelter, or in a temporary housing
18 program which may include a transitional and supportive housing program
19 if habitation time limits exist. This definition includes substance
20 abusers, mentally ill people, and sex offenders who are homeless.

21 (4) "Washington homeless census" means an annual statewide census
22 conducted as a collaborative effort by towns, cities, counties,
23 community-based organizations, and state agencies, with the technical
24 support and coordination of the department, to count and collect data
25 on all homeless individuals in Washington.

26 (5) "Homeless housing account" means the state treasury account
27 receiving the state's portion of income from revenue from the sources
28 established by section 9 of this act.

29 (6) "Homeless housing grant program" means the vehicle by which
30 competitive grants are awarded by the department, utilizing moneys from
31 the homeless housing account, to local governments for programs
32 directly related to housing homeless individuals and families,
33 addressing the root causes of homelessness, preventing homelessness,
34 collecting data on homeless individuals, and other efforts directly
35 related to housing homeless persons.

1 (7) "Local government" means a county government in the state of
2 Washington or a city government, if the legislative authority of the
3 city affirmatively elects to accept the responsibility for housing
4 homeless persons within its borders.

5 (8) "Housing continuum" means the progression of individuals along
6 a housing-focused continuum with homelessness at one end and
7 homeownership at the other.

8 (9) "Local homeless housing task force" means a voluntary local
9 committee created to advise a local government on the creation of a
10 local homeless housing plan and participate in a local homeless housing
11 program. It must include a representative of the county, a
12 representative of the largest city located within the county, at least
13 one homeless or formerly homeless person, such other members as may be
14 required to maintain eligibility for federal funding related to housing
15 programs and services and if feasible, a representative of a private
16 nonprofit organization with experience in low-income housing.

17 (10) "Long-term private or public housing" means subsidized and
18 unsubsidized rental or owner-occupied housing in which there is no
19 established time limit for habitation of less than two years.

20 (11) "Interagency council on homelessness" means a committee
21 appointed by the governor and consisting of, at least, the director of
22 the department; the secretary of the department of corrections; the
23 secretary of the department of social and health services; the director
24 of the department of veterans affairs; and the secretary of the
25 department of health.

26 (12) "Performance measurement" means the process of comparing
27 specific measures of success against ultimate and interim goals.

28 (13) "Community action agency" means a nonprofit private or public
29 organization established under the economic opportunity act of 1964.

30 (14) "Housing authority" means any of the public corporations
31 created by chapter 35.82 RCW.

32 (15) "Homeless housing program" means the program authorized under
33 this chapter as administered by the department at the state level and
34 by the local government or its designated subcontractor at the local
35 level.

36 (16) "Homeless housing plan" means the ten-year plan developed by
37 the county or other local government to address housing for homeless
38 persons.

1 (17) "Homeless housing strategic plan" means the ten-year plan
2 developed by the department, in consultation with the interagency
3 council on homelessness and the affordable housing advisory board.

4 NEW SECTION. **Sec. 4.** The governor shall establish the interagency
5 council on homelessness and appoint, at least, the director of the
6 department, the secretary of the department of social and health
7 services, the secretary of the department of corrections, the director
8 of the department of veterans affairs, the director of the employment
9 security department, the director of the department of health, and the
10 director of the office of financial management to the council. The
11 interagency council on homelessness shall be responsible to further the
12 goals of the state ten-year homeless housing strategic plan to end
13 homelessness through the following actions:

14 (1) Aligning housing and supporting services policies and resources
15 among state agencies;

16 (2) Identifying and eliminating policies and actions which
17 contribute to homelessness or interfere with its reduction; and

18 (3) Adopting or recommending new policies to improve practices and
19 align resources, including those policies requested by the affordable
20 housing advisory board or through state and local homeless housing
21 plans.

22 NEW SECTION. **Sec. 5.** There is created within the department the
23 homeless housing program to develop and coordinate a statewide
24 strategic plan aimed at housing homeless persons. The program shall be
25 developed and administered by the department with advice and input from
26 the affordable housing advisory board established in RCW 43.185B.020.

27 NEW SECTION. **Sec. 6.** The department shall annually conduct a
28 Washington homeless census or count consistent with the requirements of
29 RCW 43.63A.655. The census shall make every effort to count all
30 homeless individuals living outdoors, in shelters, and in transitional
31 housing, coordinated, when reasonably feasible, with already existing
32 homeless census projects including those funded in part by the United
33 States department of housing and urban development under the McKinney-
34 Vento homeless assistance program. The department shall determine, in
35 consultation with local governments, the data to be collected.

1 All personal information collected in the census is confidential,
2 and the department and each local government shall take all necessary
3 steps to protect the identity and confidentiality of each person
4 counted.

5 The department and each local government are prohibited from
6 disclosing any personally identifying information about any homeless
7 individual when there is reason to believe or evidence indicating that
8 the homeless individual is an adult or minor victim of domestic
9 violence, dating violence, sexual assault, or stalking or is the parent
10 or guardian of a child victim of domestic violence, dating violence,
11 sexual assault, or stalking; or revealing other confidential
12 information regarding HIV/AIDS status, as found in RCW 70.24.105. The
13 department and each local government shall not ask any homeless housing
14 provider to disclose personally identifying information about any
15 homeless individuals when the providers implementing those programs
16 have reason to believe or evidence indicating that those clients are
17 adult or minor victims of domestic violence, dating violence, sexual
18 assault, or stalking or are the parents or guardians of child victims
19 of domestic violence, dating violence, sexual assault, or stalking.
20 Summary data for the provider's facility or program may be substituted.

21 The Washington homeless census shall be conducted annually on a
22 schedule created by the department. The department shall make summary
23 data by county available to the public each year. This data, and its
24 analysis, shall be included in the department's annual updated homeless
25 housing program strategic plan.

26 Based on the annual census and provider information from the local
27 government plans, the department shall, by the end of year four,
28 implement an online information and referral system to enable local
29 governments and providers to identify available housing for a homeless
30 person. The department shall work with local governments and their
31 providers to develop a capacity for continuous case management to
32 assist homeless persons.

33 By the end of year four, the department shall implement an
34 organizational quality management system.

35 NEW SECTION. **Sec. 7.** (1) Six months after the first Washington
36 homeless census, the department shall, in consultation with the
37 interagency council on homelessness and the affordable housing advisory

1 board, prepare and publish a ten-year homeless housing strategic plan
2 which shall outline statewide goals and performance measures and shall
3 be coordinated with the plan for homeless families with children
4 required under RCW 43.63A.650. To guide local governments in
5 preparation of their first local homeless housing plans due December
6 31, 2005, the department shall issue by October 15, 2005, temporary
7 guidelines consistent with this chapter and including the best
8 available data on each community's homeless population. Local
9 governments' ten-year homeless housing plans shall not be substantially
10 inconsistent with the goals and program recommendations of the
11 temporary guidelines and, when amended after 2005, the state strategic
12 plan.

13 (2) Program outcomes and performance measures and goals shall be
14 created by the department and reflected in the department's homeless
15 housing strategic plan as well as interim goals against which state and
16 local governments' performance may be measured, including:

17 (a) By the end of year one, completion of the first census as
18 described in section 6 of this act;

19 (b) By the end of each subsequent year, goals common to all local
20 programs which are measurable and the achievement of which would move
21 that community toward housing its homeless population; and

22 (c) By July 1, 2015, reduction of the homeless population statewide
23 and in each county by fifty percent.

24 (3) The department shall develop a consistent statewide data
25 gathering instrument to monitor the performance of cities and counties
26 receiving grants in order to determine compliance with the terms and
27 conditions set forth in the grant application or required by the
28 department.

29 The department shall, in consultation with the interagency council
30 on homelessness and the affordable housing advisory board, report
31 annually to the governor and the appropriate committees of the
32 legislature an assessment of the state's performance in furthering the
33 goals of the state ten-year homeless housing strategic plan and the
34 performance of each participating local government in creating and
35 executing a local homeless housing plan which meets the requirements of
36 this chapter. The annual report may include performance measures such
37 as:

1 (a) The reduction in the number of homeless individuals and
2 families from the initial count of homeless persons;

3 (b) The number of new units available and affordable for homeless
4 families by housing type;

5 (c) The number of homeless individuals identified who are not
6 offered suitable housing within thirty days of their request or
7 identification as homeless;

8 (d) The number of households at risk of losing housing who maintain
9 it due to a preventive intervention;

10 (e) The transition time from homelessness to permanent housing;

11 (f) The cost per person housed at each level of the housing
12 continuum;

13 (g) The ability to successfully collect data and report
14 performance;

15 (h) The extent of collaboration and coordination among public
16 bodies, as well as community stakeholders, and the level of community
17 support and participation;

18 (i) The quality and safety of housing provided; and

19 (j) The effectiveness of outreach to homeless persons, and their
20 satisfaction with the program.

21 (4) Based on the performance of local homeless housing programs in
22 meeting their interim goals, on general population changes and on
23 changes in the homeless population recorded in the annual census, the
24 department may revise the performance measures and goals of the state
25 homeless housing strategic plan, set goals for years following the
26 initial ten-year period, and recommend changes in local governments'
27 plans.

28 NEW SECTION. **Sec. 8.** (1) Each local homeless housing task force
29 shall prepare and recommend to its local government legislative
30 authority a ten-year homeless housing plan for its jurisdictional area
31 which shall be not inconsistent with the department's statewide
32 temporary guidelines, for the December 31, 2005, plan, and thereafter
33 the department's ten-year homeless housing strategic plan and which
34 shall be aimed at eliminating homelessness, with a minimum goal of
35 reducing homelessness by fifty percent by July 1, 2015. The local
36 government may amend the proposed local plan and shall adopt a plan by
37 December 31, 2005. Performance in meeting the goals of this local plan

1 shall be assessed annually in terms of the performance measures
2 published by the department. Local plans may include specific local
3 performance measures adopted by the local government legislative
4 authority, and may include recommendations for any state legislation
5 needed to meet the state or local plan goals.

6 (2) Eligible activities under the local plans include:

7 (a) Rental and furnishing of dwelling units for the use of homeless
8 persons;

9 (b) Costs of developing affordable housing for homeless persons,
10 and services for formerly homeless individuals and families residing in
11 transitional housing or permanent housing and still at risk of
12 homelessness;

13 (c) Operating subsidies for transitional housing or permanent
14 housing serving formerly homeless families or individuals;

15 (d) Services to prevent homelessness, such as emergency eviction
16 prevention programs including temporary rental subsidies to prevent
17 homelessness;

18 (e) Temporary services to assist persons leaving state institutions
19 and other state programs to prevent them from becoming or remaining
20 homeless;

21 (f) Outreach services for homeless individuals and families;

22 (g) Development and management of local homeless plans including
23 homeless census data collection; identification of goals, performance
24 measures, strategies, and costs and evaluation of progress towards
25 established goals;

26 (h) Rental vouchers payable to landlords for persons who are
27 homeless or below thirty percent of the median income or in immediate
28 danger of becoming homeless; and

29 (i) Other activities to reduce and prevent homelessness as
30 identified for funding in the local plan.

31 NEW SECTION. **Sec. 9.** A new section is added to chapter 36.22 RCW
32 to read as follows:

33 (1) In addition to the surcharge authorized in RCW 36.22.178, and
34 except as provided in subsection (2) of this section, an additional
35 surcharge of ten dollars shall be charged by the county auditor for
36 each document recorded, which will be in addition to any other charge

1 allowed by law. The funds collected pursuant to this section are to be
2 distributed and used as follows:

3 (a) The auditor shall retain two percent for collection of the fee,
4 and of the remainder shall remit sixty percent to the county to be
5 deposited into a fund that must be used by the county and its cities
6 and towns to accomplish the purposes of this act, six percent of which
7 may be used by the county for administrative costs related to its
8 homeless housing plan, and the remainder for programs which directly
9 accomplish the goals of the county's homeless housing plan, except that
10 for each city in the county which elects as authorized in section 12 of
11 this act to operate its own homeless housing program, a percentage of
12 the surcharge assessed under this section equal to the percentage of
13 the city's local portion of the real estate excise tax collected by the
14 county shall be transmitted at least quarterly to the city treasurer,
15 without any deduction for county administrative costs, for use by the
16 city for program costs which directly contribute to the goals of the
17 city's homeless housing plan; of the funds received by the city, it may
18 use six percent for administrative costs for its homeless housing
19 program.

20 (b) The auditor shall remit the remaining funds to the state
21 treasurer for deposit in the homeless housing account. The department
22 may use twelve and one-half percent of this amount for administration
23 of the program established in section 5 of this act, including the
24 costs of creating the statewide homeless housing strategic plan,
25 measuring performance, providing technical assistance to local
26 governments, and managing the homeless housing grant program. The
27 remaining eighty-seven and one-half percent is to be distributed by the
28 department to local governments through the homeless housing grant
29 program.

30 (2) The surcharge imposed in this section does not apply to
31 assignments or substitutions of previously recorded deeds of trust.

32 NEW SECTION. **Sec. 10.** The homeless housing account is created in
33 the custody of the state treasurer. The state's portion of the
34 surcharge established in section 9 of this act must be deposited in the
35 account. Expenditures from the account may be used only for the
36 homeless housing program as described in this chapter. Only the

1 director or the director's designee may authorize expenditures from the
2 account. The account is subject to allotment procedures under chapter
3 43.88 RCW, but an appropriation is not required for expenditures.

4 NEW SECTION. **Sec. 11.** (1) During each calendar year in which
5 moneys from the homeless housing account are available for use by the
6 department for the homeless housing grant program, the department shall
7 announce to all Washington counties, participating cities, and through
8 major media throughout the state, a grant application period of at
9 least ninety days' duration. This announcement will be made as often
10 as the director deems appropriate for proper utilization of resources.
11 The department shall then promptly grant as many applications as will
12 utilize available funds, less appropriate administrative costs of the
13 department as described in section 9 of this act.

14 (2) The department will develop, with advice and input from the
15 affordable housing advisory board established in RCW 43.185B.020,
16 criteria to evaluate grant applications.

17 (3) The department may approve applications only if they are
18 consistent with the local and state homeless housing program strategic
19 plans. The department may give preference to applications based on
20 some or all of the following criteria:

21 (a) The total homeless population in the applicant local government
22 service area, as reported by the most recent annual Washington homeless
23 census;

24 (b) Current local expenditures to provide housing for the homeless
25 and to address the underlying causes of homelessness as described in
26 section 1 of this act;

27 (c) Local government and private contributions pledged to the
28 program in the form of matching funds, property, infrastructure
29 improvements, and other contributions; and the degree of leveraging of
30 other funds from local government or private sources for the program
31 for which funds are being requested, to include recipient contributions
32 to total project costs, including allied contributions from other
33 sources such as professional, craft and trade services, and lender
34 interest rate subsidies;

35 (d) Construction projects or rehabilitation that will serve
36 homeless individuals or families for a period of at least twenty-five
37 years;

1 (e) Projects which demonstrate serving homeless populations with
2 the greatest needs, including projects that serve special needs
3 populations;

4 (f) The degree to which the applicant project represents a
5 collaboration between local governments, nonprofit community-based
6 organizations, local and state agencies, and the private sector,
7 especially through its integration with the coordinated and
8 comprehensive plan for homeless families with children required under
9 RCW 43.63A.650;

10 (g) The cooperation of the local government in the annual
11 Washington homeless census project;

12 (h) The commitment of the local government and any subcontracting
13 local governments, nonprofit organizations, and for-profit entities to
14 employ a diverse work force;

15 (i) The extent, if any, that the local homeless population is
16 disproportionate to the revenues collected under this chapter, RCW
17 36.22.178, and section 9 of this act; and

18 (j) Other elements shown by the applicant to be directly related to
19 the goal and the department's state strategic plan.

20 NEW SECTION. **Sec. 12.** (1) Only a local government is eligible to
21 receive a homeless housing grant from the homeless housing account.
22 Any city may assert responsibility for homeless housing within its
23 borders if it so chooses, by forwarding a resolution to the legislative
24 authority of the county stating its intention and its commitment to
25 operate a separate homeless housing program. The city shall then
26 receive a percentage of the surcharge assessed under section 9 of this
27 act equal to the percentage of the city's local portion of the real
28 estate excise tax collected by the county. A participating city may
29 also then apply separately for homeless housing program grants. A city
30 choosing to operate a separate homeless housing program shall be
31 responsible for complying with all of the same requirements as counties
32 and shall adopt a local homeless housing plan meeting the requirements
33 of this chapter for county local plans. However, the city may by
34 resolution of its legislative authority accept the county's homeless
35 housing task force as its own and based on that task force's
36 recommendations adopt a homeless housing plan specific to the city.

1 (2) Local governments applying for homeless housing funds may
2 subcontract with any other local government, housing authority,
3 community action agency or other nonprofit organization for the
4 execution of programs contributing to the overall goal of ending
5 homelessness within a defined service area. All subcontracts shall be
6 consistent with the local homeless housing plan adopted by the
7 legislative authority of the local government, time limited, and filed
8 with the department and shall have specific performance terms. While
9 a local government has the authority to subcontract with other
10 entities, the local government continues to maintain the ultimate
11 responsibility for the homeless housing program within its borders.

12 (3) A county may decline to participate in the program authorized
13 in this chapter by forwarding to the department a resolution adopted by
14 the county legislative authority stating the intention not to
15 participate. A copy of the resolution shall also be transmitted to the
16 county auditor and treasurer. If such a resolution is adopted, all of
17 the funds otherwise due to the county under section 10 of this act
18 shall be remitted monthly to the state treasurer for deposit in the
19 homeless housing account, without any reduction by the county for
20 collecting or administering the funds. Upon receipt of the resolution,
21 the department shall promptly begin to identify and contract with one
22 or more entities eligible under this section to create and execute a
23 local homeless housing plan for the county meeting the requirements of
24 this chapter. The department shall expend all of the funds received
25 from the county under this subsection to carry out the purposes of this
26 act in the county, provided that the department may retain six percent
27 of these funds to offset the cost of managing the county's program.

28 (4) A resolution by the county declining to participate in the
29 program shall have no effect on the ability of each city in the county
30 to assert its right to manage its own program under this chapter, and
31 the county shall monthly transmit to the city the funds due under this
32 chapter.

33 NEW SECTION. **Sec. 13.** The department shall allocate grant moneys
34 from the homeless housing account to finance in whole or in part
35 programs and projects in approved local homeless housing plans to
36 assist homeless individuals and families gain access to adequate
37 housing, prevent at-risk individuals from becoming homeless, address

1 the root causes of homelessness, track and report on homeless-related
2 data, and facilitate the movement of homeless or formerly homeless
3 individuals along the housing continuum toward more stable and
4 independent housing. The department may issue criteria or guidelines
5 to guide local governments in the application process.

6 NEW SECTION. **Sec. 14.** The department shall provide technical
7 assistance to any participating local government that requests such
8 assistance. Technical assistance activities may include:

9 (1) Assisting local governments to identify appropriate parties to
10 participate on local homeless housing task forces;

11 (2) Assisting local governments to identify appropriate service
12 providers with which the local governments may subcontract for service
13 provision and development activities, when necessary;

14 (3) Assisting local governments to implement or expand homeless
15 census programs to meet homeless housing program requirements;

16 (4) Assisting in the identification of "best practices" from other
17 areas;

18 (5) Assisting in identifying additional funding sources for
19 specific projects; and

20 (6) Training local government and subcontractor staff.

21 NEW SECTION. **Sec. 15.** The department shall establish a uniform
22 process for participating local governments to report progress toward
23 reducing homelessness and meeting locally established goals.

24 NEW SECTION. **Sec. 16.** The department may adopt such rules as may
25 be necessary to effect the purposes of this chapter.

26 NEW SECTION. **Sec. 17.** The department shall ensure that the
27 state's interest is protected upon the development, use, sale, or
28 change of use of projects constructed, acquired, or financed in whole
29 or in part through the homeless housing grant program. These policies
30 may include, but are not limited to: (1) Requiring a share of the
31 appreciation in the project in proportion to the state's contribution
32 to the project, or (2) requiring a lump sum repayment of the grant upon
33 the sale or change of use of the project.

1 **Sec. 18.** RCW 36.22.178 and 2002 c 294 s 2 are each amended to read
2 as follows:

3 (1) Except as provided in subsection (2) of this section, a
4 surcharge of ten dollars per instrument shall be charged by the county
5 auditor for each document recorded, which will be in addition to any
6 other charge authorized by law. The (~~auditor~~) county may retain up
7 to five percent of these funds collected (~~to administer~~) solely for
8 the collection, administration, and local distribution of these funds.
9 Of the remaining funds, forty percent of the revenue generated through
10 this surcharge will be transmitted monthly to the state treasurer who
11 will deposit the funds into the Washington housing trust account. The
12 office of community development of the department of community, trade,
13 and economic development will develop guidelines for the use of these
14 funds to support building operation and maintenance costs of housing
15 projects or units within housing projects that are affordable to
16 extremely low-income persons with incomes at or below thirty percent of
17 the area median income, and that require a supplement to rent income to
18 cover ongoing operating expenses. (~~Sixty percent of the revenue~~) All
19 of the remaining funds generated by this surcharge will be retained by
20 the county and be deposited into a fund that must be used by the county
21 and its cities and towns for housing projects or units within housing
22 projects that are affordable to very low-income persons with incomes at
23 or below fifty percent of the area median income. The portion of the
24 surcharge retained by a county shall be allocated to very low-income
25 housing projects or units within such housing projects in the county
26 and the cities within a county according to an interlocal agreement
27 between the county and the cities within the county, consistent with
28 countywide and local housing needs and policies. The funds generated
29 with this surcharge shall not be used for construction of new housing
30 if at any time the vacancy rate for available low-income housing within
31 the county rises above ten percent. The vacancy rate for each county
32 shall be developed using the state low-income vacancy rate standard
33 developed under subsection (3) of this section. (~~Permissible~~) Uses
34 of these local funds are limited to:

35 (a) Acquisition, construction, or rehabilitation of housing
36 projects or units within housing projects that are affordable to very
37 low-income persons with incomes at or below fifty percent of the area
38 median income;

1 (b) Supporting building operation and maintenance costs of housing
2 projects or units within housing projects (~~(built with)~~) eligible to
3 receive housing trust funds, that are affordable to very low-income
4 persons with incomes at or below fifty percent of the area median
5 income, and that require a supplement to rent income to cover ongoing
6 operating expenses;

7 (c) Rental assistance vouchers for housing projects or units within
8 housing projects that are affordable to very low-income persons with
9 incomes at or below fifty percent of the area median income, to be
10 administered by a local public housing authority or other local
11 organization that has an existing rental assistance voucher program,
12 consistent with the United States department of housing and urban
13 development's section 8 rental assistance voucher program standards;
14 and

15 (d) Operating costs for emergency shelters and licensed overnight
16 youth shelters.

17 (2) The surcharge imposed in this section does not apply to
18 assignments or substitutions of previously recorded deeds of trust.

19 (3) The real estate research center at Washington State University
20 shall develop a vacancy rate standard for low-income housing in the
21 state as described in RCW 18.85.540(1)(i).

22 **Sec. 19.** RCW 36.18.010 and 2002 c 294 s 3 are each amended to read
23 as follows:

24 County auditors or recording officers shall collect the following
25 fees for their official services:

26 For recording instruments, for the first page eight and one-half by
27 fourteen inches or less, five dollars; for each additional page eight
28 and one-half by fourteen inches or less, one dollar. The fee for
29 recording multiple transactions contained in one instrument will be
30 calculated for each transaction requiring separate indexing as required
31 under RCW 65.04.050 as follows: The fee for each title or transaction
32 is the same fee as the first page of any additional recorded document;
33 the fee for additional pages is the same fee as for any additional
34 pages for any recorded document; the fee for the additional pages may
35 be collected only once and may not be collected for each title or
36 transaction;

1 For preparing and certifying copies, for the first page eight and
2 one-half by fourteen inches or less, three dollars; for each additional
3 page eight and one-half by fourteen inches or less, one dollar;

4 For preparing noncertified copies, for each page eight and one-half
5 by fourteen inches or less, one dollar;

6 For administering an oath or taking an affidavit, with or without
7 seal, two dollars;

8 For issuing a marriage license, eight dollars, (this fee includes
9 taking necessary affidavits, filing returns, indexing, and transmittal
10 of a record of the marriage to the state registrar of vital statistics)
11 plus an additional five-dollar fee for use and support of the
12 prevention of child abuse and neglect activities to be transmitted
13 monthly to the state treasurer and deposited in the state general fund
14 plus an additional ten-dollar fee to be transmitted monthly to the
15 state treasurer and deposited in the state general fund. The
16 legislature intends to appropriate an amount at least equal to the
17 revenue generated by this fee for the purposes of the displaced
18 homemaker act, chapter 28B.04 RCW;

19 For searching records per hour, eight dollars;

20 For recording plats, fifty cents for each lot except cemetery plats
21 for which the charge shall be twenty-five cents per lot; also one
22 dollar for each acknowledgment, dedication, and description: PROVIDED,
23 That there shall be a minimum fee of twenty-five dollars per plat;

24 For recording of miscellaneous records not listed above, for the
25 first page eight and one-half by fourteen inches or less, five dollars;
26 for each additional page eight and one-half by fourteen inches or less,
27 one dollar;

28 For modernization and improvement of the recording and indexing
29 system, a surcharge as provided in RCW 36.22.170((-))i

30 For recording an emergency nonstandard document as provided in RCW
31 65.04.047, fifty dollars, in addition to all other applicable recording
32 fees((-))i

33 For recording instruments, a surcharge as provided in RCW
34 36.22.178; and

35 For recording instruments, except for documents recording a birth,
36 marriage, divorce, or death or any documents otherwise exempted from a
37 recording fee under state law, a surcharge as provided in section 9 of
38 this act.

1 NEW SECTION. **Sec. 20.** The department of social and health
2 services shall exempt payments to individuals provided under this
3 chapter when determining eligibility for public assistance.

4 NEW SECTION. **Sec. 21.** This chapter does not require either the
5 department or any local government to expend any funds to accomplish
6 the goals of this chapter other than the revenues authorized in this
7 act. However, neither the department nor any local government may use
8 any funds authorized in this act to supplant or reduce any existing
9 expenditures of public money for the reduction or prevention of
10 homelessness or services for homeless persons.

11 **Sec. 22.** RCW 43.185B.005 and 1993 c 478 s 1 are each amended to
12 read as follows:

13 (1) The legislature finds that:

14 (a) Housing is of vital statewide importance to the health, safety,
15 and welfare of the residents of the state;

16 (b) Reducing homelessness and moving individuals and families
17 toward stable, affordable housing is of vital statewide importance;

18 (c) Safe, affordable housing is an essential factor in stabilizing
19 communities;

20 ~~((e))~~ (d) Residents must have a choice of housing opportunities
21 within the community where they choose to live;

22 ~~((d))~~ (e) Housing markets are linked to a healthy economy and can
23 contribute to the state's economy;

24 ~~((e))~~ (f) Land supply is a major contributor to the cost of
25 housing;

26 ~~((f))~~ (g) Housing must be an integral component of any
27 comprehensive community and economic development strategy;

28 ~~((g))~~ (h) State and local government must continue working
29 cooperatively toward the enhancement of increased housing units by
30 reviewing, updating, and removing conflicting regulatory language;

31 ~~((h))~~ (i) State and local government should work together in
32 developing creative ways to reduce the shortage of housing;

33 ~~((i))~~ (j) The lack of a coordinated state housing policy inhibits
34 the effective delivery of housing for some of the state's most
35 vulnerable citizens and those with limited incomes; and

1 (~~(j)~~) (k) It is in the public interest to adopt a statement of
2 housing policy objectives.

3 (2) The legislature declares that the purposes of the Washington
4 housing policy act are to:

5 (a) Provide policy direction to the public and private sectors in
6 their attempt to meet the shelter needs of Washington residents;

7 (b) Reevaluate housing and housing-related programs and policies in
8 order to ensure proper coordination of those programs and policies to
9 meet the housing needs of Washington residents;

10 (c) Improve the delivery of state services and assistance to very
11 low-income and low-income households and special needs populations;

12 (d) Strengthen partnerships among all levels of government, and the
13 public and private sectors, including for-profit and nonprofit
14 organizations, in the production and operation of housing to targeted
15 populations including low-income and moderate-income households;

16 (e) Increase the supply of housing for persons with special needs;

17 (f) Encourage collaborative planning with social service providers;

18 (g) Encourage financial institutions to increase residential
19 mortgage lending; and

20 (h) Coordinate housing into comprehensive community and economic
21 development strategies at the state and local level.

22 **Sec. 23.** RCW 43.185B.009 and 1993 c 478 s 3 are each amended to
23 read as follows:

24 The objectives of the Washington housing policy act shall be to
25 attain the state's goal of a decent home in a healthy, safe environment
26 for every resident of the state by strengthening public and private
27 institutions that are able to:

28 (1) Develop an adequate and affordable supply of housing for all
29 economic segments of the population, including the destitute;

30 (2) Identify and reduce the causal factors preventing the state
31 from reaching its goal;

32 (3) Assist very low-income and special needs households who cannot
33 obtain affordable, safe, and adequate housing in the private market;

34 (~~(3)~~) (4) Encourage and maintain home ownership opportunities;

35 (~~(4)~~) (5) Reduce life-cycle housing costs while preserving public
36 health and safety;

37 (~~(5)~~) (6) Preserve the supply of existing affordable housing;

1 (~~(6)~~) (7) Provide housing for special needs populations;
2 (~~(7)~~) (8) Ensure fair and equal access to the housing market;
3 (~~(8)~~) (9) Increase the availability of mortgage credit at low
4 interest rates; and
5 (~~(9)~~) (10) Coordinate and be consistent with the goals,
6 objectives, and required housing element of the comprehensive plan in
7 the state's growth management act in RCW 36.70A.070.

8 NEW SECTION. Sec. 24. If any part of this act is found to be in
9 conflict with federal requirements that are a prescribed condition to
10 the allocation of federal funds to the state, the conflicting part of
11 this act is inoperative solely to the extent of the conflict and with
12 respect to the agencies directly affected, and this finding does not
13 affect the operation of the remainder of this act in its application to
14 the agencies concerned. Rules adopted under this act must meet federal
15 requirements that are a necessary condition to the receipt of federal
16 funds by the state.

17 NEW SECTION. Sec. 25. This act takes effect August 1, 2005.

18 NEW SECTION. Sec. 26. Sections 1 through 8, 10 through 17, 20,
19 21, 24, and 25 of this act constitute a new chapter in Title 43 RCW."

E2SHB 2163 - S COMM AMD

By Committee on Financial Institutions, Housing & Consumer
Protection

ADOPTED 04/07/2005

20 On page 1, line 2 of the title, after "Washington;" strike the
21 remainder of the title and insert "amending RCW 36.22.178, 36.18.010,
22 43.185B.005, and 43.185B.009; adding a new section to chapter 36.22
23 RCW; adding a new chapter to Title 43 RCW; and providing an effective
24 date."

--- END ---