
ENGROSSED SUBSTITUTE SENATE BILL 5742

State of Washington

61st Legislature

2009 Regular Session

By Senate Human Services & Corrections (originally sponsored by Senators Hargrove, McCaslin, Hobbs, Schoesler, and Hatfield)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to crime-free rental housing; adding a new section
2 to chapter 35.21 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that local
5 governments, landlords, and tenants working together to provide crime-
6 free rental housing is beneficial to the public health, safety, and
7 welfare. The intent of this act is to provide certain requirements
8 that a local government must follow in adopting a crime-free rental
9 housing program.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW
11 to read as follows:

12 (1) A city, town, or county may adopt and implement a local
13 government crime-free rental housing program designed to reduce crime,
14 drugs, and gangs on rental properties in accordance with this section.

15 (2) Except as provided in subsection (5) of this section, a crime-
16 free rental housing program must be voluntary and may include:

17 (a) Landlord training to educate property owners and managers in
18 the basics of crime prevention on rental premises;

1 (b) Crime prevention through environmental design assessment to
2 identify crime hazards and ways to improve the safety of the premises;
3 or

4 (c) Commitments to implement and maintain crime-free activities,
5 such as proper screening of tenants, use of a crime-free addendum in
6 rental agreements, neighborhood education, and maintaining open
7 communication with law enforcement.

8 (3) A crime-free rental housing program may not:

9 (a) Prohibit a landlord from hiring or renting to individuals with
10 criminal backgrounds;

11 (b) Condition a business license or any other prerequisite to
12 owning or operating rental housing in the city, town, or county on
13 participation in the program; or

14 (c) Except as provided in subsections (4) and (5) of this section,
15 charge additional or separate fees to a landlord who does not
16 participate in the program, including fees for providing law
17 enforcement services to a landlord's rental property.

18 (4) A city, town, or county may waive all or part of the cost of a
19 landlord's business license or rental registration fee in exchange for
20 participation in the program so long as the fee does not exceed the
21 greater of the amount of a standard business license or rental
22 registration fee in the jurisdiction or seven hundred fifty dollars.

23 (5)(a) If law enforcement has investigated criminal activity on the
24 rental housing premises of a landlord on three separate occasions
25 within a three-month period and the landlord has not made a good faith
26 effort to deter the criminal activity, the city, town, or county may
27 require the landlord to do one or both of the following:

28 (i) Participate in a crime-free rental housing program;

29 (ii) Pay a monetary penalty set forth in ordinance for any police
30 call for criminal activity, not to exceed one hundred fifty dollars per
31 call, until the criminal activity is abated.

32 (b) A good faith effort may include, but is not limited to:

33 (i) Service on the tenant of a notice to comply or quit as allowed
34 by law or the commencement of an unlawful detainer action against the
35 tenant;

36 (ii) Attendance and completion of a landlord training program
37 provided by the city, town, or county;

1 (iii) Utilization of a crime-free addendum for tenants who are
2 alleged to have engaged in criminal activity; or
3 (iv) Communication with law enforcement of methods to prevent
4 criminal activity and reasonable implementation of recommended steps.
5 (6) This section does not prevent a city, town, or county from
6 charging a fee for participation in a crime-free rental housing
7 program.
8 (7) This section does not affect a city, town, or county's
9 authority to enforce existing law in regard to rental housing, except
10 in regard to a crime-free rental housing program.
11 (8) As used in this section:
12 (a) "Criminal activity" means a criminal act defined by statute or
13 ordinance that threatens the health, safety, or welfare of the tenants,
14 owner, or property manager.
15 (b) "Premises" has the same meaning as provided in RCW 59.18.030.
16 (c) "Rental housing" means any tenancy subject to chapter 59.12,
17 59.18, or 59.20 RCW.

--- END ---