
Judiciary Committee

HB 1633

Title: An act relating to ensuring housing options.

Brief Description: Concerning the preservation of housing options for tenants.

Sponsors: Representatives Riccelli, Kirby, Macri, Frame, Goodman, Kagi, Peterson, Jinkins, Ormsby, Kloba, Senn, Stonier, Stanford, Appleton, Robinson, McBride, Doglio, Pollet and Santos.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Prohibits landlord discrimination based on an applicant's or tenant's lawful source of income.• Creates a civil action for violations.

Hearing Date: 2/7/17

Staff: Alex Arkfeld (786-7290) and Cece Clynych (786-7195).

Background:

The Residential Landlord-Tenant Act (RLTA) provides the rights and duties of landlords and tenants. Under the RLTA, landlords may screen and evaluate prospective tenants either by conducting their own search or by using companies that provide tenant screening reports. Gathered information may include details about a prospective tenant's credit, employment, criminal history, eviction history, and rental history. A landlord may use this information to determine whether a prospective tenant would make a suitable tenant.

Under the Washington Law Against Discrimination (WLAD), except in owner-occupied dwelling units, it is an unfair practice to discriminate against a prospective tenant based on race, creed, color, national origin, sex, marital status, sexual orientation, or any of the following:

- honorably discharged veteran or military status;
- families with children status;

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- the presence of any sensory, mental, or physical disability; or
- the use of a trained guide dog or service animal by a person with a disability.

Summary of Bill:

A landlord is prohibited from taking specified actions based on the source of income of an otherwise eligible applicant or tenant. Prohibited actions include, but are not limited to, the following:

- refusing to lease or rent real property to an applicant;
- expelling a tenant from real property;
- making any distinction, discrimination, or restriction against an applicant or tenant in the price, terms, conditions, or privileges relating to the rental, lease, or occupancy of real property;
- attempting to discourage the rental or lease of real property;
- publishing, circulating, issuing, or displaying any communication, notice, advertisement, or sign of any kind relating to the rental or lease of real property that indicates any source of income; and
- representing to a person that a dwelling unit is not available for rental when the dwelling unit is available for rental.

"Source of income" includes income derived from social security, supplemental security income, other retirement programs, and any federal, state, local, or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs. The term does not include income derived in an illegal manner.

If a landlord requires applicants to have a certain threshold level of income, the landlord must subtract from the monthly rental rate the applicant's source of income in the form of a rent voucher or subsidy prior to determining whether the income threshold is met.

The applicability of reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit are not limited.

A landlord in violation of these prohibitions and requirements may be held liable in a civil action for up to triple damages sustained by the tenant or applicant. The prevailing party may recover court costs and reasonable attorneys' fees.

Appropriation: None.

Fiscal Note: Not requested.

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