

FINAL BILL REPORT

SSB 5749

Synopsis as Enacted

Brief Description: Concerning rent payments made by residential and manufactured housing community tenants.

Sponsors: Senate Committee on Housing & Local Government (originally sponsored by Senators Trudeau, Salomon, Hasegawa, Nobles and Wilson, C.).

Senate Committee on Housing & Local Government
House Committee on Housing, Human Services & Veterans

Background: The Residential Landlord-Tenant Act (RLTA) regulates the creation of residential tenancies and the relationship between landlords and tenants of residential dwelling units. The RLTA establishes rights and duties of both tenants and landlords, procedures for the parties to enforce their rights, and remedies for violations of the RLTA. Under the RLTA, a rental agreement may not include provisions in which the tenant, for example:

- agrees to waive or forgo rights or remedies available under the RLTA;
- agrees to pay the landlord's attorneys' fees except as authorized; or
- agrees to pay late fees for rent paid within five days following its due date.

The Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) governs the legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a mobile home lot within a mobile home park where the tenant has no ownership interest in the property or in the association that owns the property. Under the MHLTA, a rental agreement may not include provisions, for example:

- that includes a guest fee, fee for guest parking, or an entrance or exit fee with exceptions; or
- in which a tenant agrees to waive or forgo rights or remedies available under the MHLTA.

Under the RLTA, a landlord may refuse to accept cash for any payment of rent made by a tenant. Under both the RLTA and MHLTA, a landlord must provide a receipt for any payment made by a tenant in the form of cash, and must also provide, upon the request of a

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

tenant, a written receipt for any payments made by the tenant in a form other than cash.

Summary: Residential and manufactured housing community landlords must accept a personal check, cashier's check, or money order for any payment of rent made by a tenant. However, such landlords are not required to accept a personal check for payment of rent if the tenant has had a personal check written to the landlord or landlord's agent and returned for insufficient funds or account closure within the previous nine months.

Residential and manufactured housing community landlords must also allow the tenant to submit rent payments by mail unless they provide an accessible, on-site location for rental payments. Such landlords may not include in the rental agreement a provision in which the tenant agrees to make rent payments through electronic means only.

Votes on Final Passage:

Senate	47	0	
House	91	5	(House amended)
Senate	49	0	(Senate concurred)

Effective: Ninety days after adjournment of session in which bill is passed.