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**SUBSTITUTE HOUSE BILL 2275**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** House Housing (originally sponsored by Representatives Reeves and Morgan)

AN ACT Relating to senior independent living facilities; adding a new section to chapter 19.27 RCW; adding a new chapter to Title 70 RCW; and providing an expiration date.

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

NEW SECTION. **Sec.**  A new section is added to chapter 19.27 RCW to read as follows:

(1) The legislature finds that the unique needs of independent senior citizens warrant residential building requirements for senior independent housing that are different than those that apply to traditional, nonage-restricted multifamily residential developments.

(2) The state building code council shall convene a technical advisory group for the purpose of recommending amendments to the rules or codes applicable to senior independent housing to enhance building accessibility and safety for independent senior citizens and persons with disabilities. The technical advisory group shall strive to align the rules or codes applicable to senior independent housing with the rules or codes applicable to assisted living facilities, nursing homes, long-term care facilities, and other similar living arrangements. When developing the recommendations, the technical advisory group must consult with experts in public health, fire and life safety, and building accessibility.

(3) The technical advisory group shall provide its recommendations to the state building code council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 code adoption cycle. The state building code council shall take action to adopt additions and amendments to rules or codes as necessary by July 1, 2026.

(4) For the purposes of this section, "senior independent housing" means any residential housing that is advertised, maintained, designed, or constructed for the express or implied purpose of providing housing for persons 55 years of age or older who are independent and do not require assistance with activities of daily living. Senior independent housing is typically designed to enable seniors to live on their own, but with the security and convenience of community living, including recreational, educational, and social activities. "Senior independent housing" does not include facilities that provide medical care or assistance with activities of daily living, such as assisted living facilities, nursing homes, long-term care facilities, or other similar living arrangements.

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

(1) "Department" means the department of commerce.

(2) "Resident" means any person who lives in a senior independent housing establishment.

(3) "Senior independent housing" means any residential housing that is advertised, maintained, designed, or constructed for the express or implied purpose of providing housing for persons 55 years of age or older who are independent and do not require assistance with activities of daily living. Senior independent housing is typically designed to enable seniors to live on their own, but with the security and convenience of community living, including recreational, educational, and social activities. "Senior independent housing" does not include facilities that provide medical care or assistance with activities of daily living, such as assisted living facilities, nursing homes, long-term care facilities, or other similar living arrangements.

NEW SECTION. **Sec.**  (1) In addition to any other rights provided by law, residents in senior independent housing have the rights provided in this section. The rights provided in this section are minimum rights guaranteed to all residents of senior independent housing and are not intended to diminish any other rights provided in local, state, or federal laws.

(2) A resident in a senior independent housing establishment has the right to:

(a) Be free of interference, coercion, discrimination, and reprisal from the housing establishment in exercising the resident's rights;

(b) Be treated respectfully by management, employees, and staff of the housing establishment;

(c) Install safety and security devices, including cameras, at the entrance to the resident's individual living unit or within the unit;

(d) Organize, attend, and hold meetings open to any and all residents of the housing establishment at reasonable hours and times;

(e) Communicate with and receive a timely response from the manager of the senior independent housing establishment or the manager's designee at any time of day, including after hours and on weekends, in case of emergencies; and

(f) Provide anonymous suggestions and feedback to the management, employees, and staff of the senior independent housing establishment through methods such as suggestion boxes in common areas.

NEW SECTION. **Sec.**  (1) The department shall study and report on the possibility of creating an office of senior housing within the department as described in this section.

(2) The purpose of the office of senior housing will be to lead and coordinate efforts related to providing oversight for senior independent housing and help ensure that senior independent housing establishments comply with any relevant local, state, and federal laws and regulations related to building accessibility and safety, reasonable accommodations, landlord-tenant duties, lease enforcement, and any other relevant resident rights including, but not limited to, the following:

(a) The residential landlord-tenant act in chapter 59.18 RCW;

(b) The law against discrimination in chapter 49.60 RCW;

(c) The state building code in chapter 19.27 RCW;

(d) The senior independent housing resident rights provided in section 3 of this act;

(e) The federal fair housing act (42 U.S.C. 3601 et seq.);

(f) The federal Americans with disabilities act (42 U.S.C. 12101 et seq.); and

(g) Any other relevant state and federal laws and regulations.

(3) The office of senior housing should function as a single point of contact for residents who have complaints about a senior independent housing establishment or need assistance with enforcing their rights.

(4) The office of senior housing should, at minimum, have the duty and power to:

(a) Provide education to residents and potential residents about their rights and responsibilities;

(b) Collect resident complaints and other relevant data, and report this information to appropriate local, state, and federal agencies on a regular basis; and

(c) Directly enforce or help coordinate enforcement of the relevant local, state, and federal laws and regulations described in subsection (2) of this section with the appropriate local, state, and federal agencies.

(5) In studying the possibility of creating an office of senior housing, the department shall consult with appropriate stakeholders and any local, state, or federal agencies with responsibilities related to senior housing and aging issues including, but not limited to, the department of social and health services, the aging and long-term support administration within the department of social and health services, the department of health, the office of the state long-term care ombuds, the Washington state human rights commission, the consumer protection division of the attorney general's office, the state council on aging, local area agencies on aging, the United States department of housing and urban development, and the United States department of justice.

(6) By July 1, 2025, and in compliance with RCW 43.01.036, the department shall submit a report to the appropriate committees of the legislature that includes information and recommendations about options, benefits, risks, and costs associated with establishing an office of senior housing within the department.

(7) This section expires July 1, 2026.

NEW SECTION. **Sec.**  Sections 2 through 4 of this act constitute a new chapter in Title 70 RCW.

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