
SENATE BILL 5637

State of Washington

68th Legislature

2023 Regular Session

By Senator Fortunato

1 AN ACT Relating to graduated rental rate agreements under the
2 transitional housing operating and rent program; and amending RCW
3 43.185C.210.

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

5 **Sec. 1.** RCW 43.185C.210 and 2020 c 155 s 1 are each amended to
6 read as follows:

7 (1) The transitional housing operating and rent program is
8 created in the department to assist individuals and families who are
9 homeless or who are at risk of becoming homeless to secure and retain
10 safe, decent, and affordable housing. The department shall provide
11 grants to eligible organizations, as described in RCW 43.185.060, to
12 provide assistance to program participants. The eligible
13 organizations must use grant moneys for:

14 (a) Rental assistance, which includes security or utility
15 deposits, first and last month's rent assistance, and eligible moving
16 expenses to be determined by the department;

17 (b) Case management services designed to assist program
18 participants to secure and retain immediate housing and to transition
19 into permanent housing and greater levels of self-sufficiency;

20 (c) Operating expenses of transitional housing facilities that
21 serve homeless families with children; and

1 (d) Administrative costs of the eligible organization, which must
2 not exceed limits prescribed by the department.

3 (2) Eligible to receive assistance through the transitional
4 housing operating and rent program are:

5 (a) Families with children who are homeless or who are at risk of
6 becoming homeless and who have household incomes at or below
7 (~~fifty~~) 50 percent of the median household income for their county;

8 (b) Families with children who are homeless or who are at risk of
9 becoming homeless and who are receiving services under chapter 13.34
10 RCW;

11 (c) Individuals or families without children who are homeless or
12 at risk of becoming homeless and who have household incomes at or
13 below (~~thirty~~) 30 percent of the median household income for their
14 county;

15 (d) Individuals or families who are homeless or who are at risk
16 of becoming homeless and who have a household with an adult member
17 who has a mental health or chemical dependency disorder; and

18 (e) Individuals or families who are homeless or who are at risk
19 of becoming homeless and who have a household with an adult member
20 who is an offender released from confinement within the past
21 (~~eighteen~~) 18 months.

22 (3) (a) All program participants must be willing to create and
23 actively participate in a housing stability plan for achieving
24 permanent housing and greater levels of self-sufficiency.

25 (b) (i) A housing stability plan created under this subsection (3)
26 may include a graduated rental rate agreement under which program
27 participants are provided a rental rate that escalates by increments
28 on a predetermined and fixed timeline in order to promote increased
29 self-sufficiency and a transition away from a temporary housing
30 arrangement over time.

31 (ii) A three-party contract shall be required of persons
32 participating in a graduated rental rate agreement under this
33 subsection (3). The parties to the contract shall be the operator of
34 the transitional housing, the tenant, and the rental property owner.
35 The terms of the contract shall include, but are not limited to, the
36 following:

37 (A) The owner of the rental property shall provide the tenant
38 with a set payment schedule that clearly states all rental rates that
39 will apply over the duration of the agreement. Any payment schedule
40 provided to the tenant must include the starting rental rate, the

1 increments by which the rental rate will increase, the duration for
2 each incremental rental rate, and the dates on which increases in the
3 rental rate will occur.

4 (B) The tenant shall agree to make payments according to the
5 agreed upon payment schedule.

6 (C) The duration of any graduated rental rate agreement under
7 this subsection (3) may not exceed 24 months, and a graduated rental
8 rate agreement may not be extended or renewed.

9 (c) The terms of any graduated rental rate agreement created
10 under this subsection (3) shall be considered sufficient notice for
11 the purposes of RCW 59.18.140.

12 (4) Data on all program participants must be entered into and
13 tracked through the Washington homeless client management information
14 system as described in RCW 43.185C.180. (~~For eligible organizations~~
15 ~~servicing victims of domestic violence or sexual assault, compliance~~
16 ~~with this subsection must be accomplished in accordance with 42~~
17 ~~U.S.C. Sec. 11383(a)(8).)~~)

18 (5) The department may develop rules, requirements, procedures,
19 and guidelines as necessary to implement and operate the transitional
20 housing operating and rent program.

21 (6) The department shall produce an annual transitional housing
22 operating and rent program report that must be included in the
23 department's homeless housing strategic plan as described in RCW
24 43.185C.040. The report must include performance measures to be
25 determined by the department that address, at a minimum, the
26 following issue areas:

27 (a) The success of the transitional housing operating and rent
28 program in helping program participants transition into permanent
29 affordable housing and achieve self-sufficiency or increase their
30 levels of self-sufficiency, which shall be defined by the department
31 based upon the costs of living, including housing costs, needed to
32 support: (i) One adult individual; and (ii) two adult individuals and
33 one preschool-aged child and one school-aged child;

34 (b) The financial performance of the program related to efficient
35 program administration by the department and program operation by
36 selected eligible organizations, including an analysis of the costs
37 per program participant served;

38 (c) The quality, completeness, and timeliness of the information
39 on program participants provided to the Washington homeless client
40 management information system database; and

1 (d) The satisfaction of program participants in the assistance
2 provided through the program.

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