

SENATE BILL REPORT

SB 5139

As of January 19, 2021

Title: An act relating to limiting rent increases after expiration of the governor's eviction moratorium.

Brief Description: Limiting rent increases after expiration of the governor's eviction moratorium.

Sponsors: Senators Das, Lovelett, Darneille, Hunt, Lias, Nguyen and Wilson, C..

Brief History:

Committee Activity: Housing & Local Government: 1/21/21.

Brief Summary of Bill

- Prohibits any increases in rent or other charges for residential tenancies for the first six months after expiration of the eviction moratorium.
- Limits rent increases for a six-month period after the initial six-month prohibition period to three percentage points above the consumer price index and based on monthly rent as of March 1, 2020.

SENATE COMMITTEE ON HOUSING & LOCAL GOVERNMENT

Staff: Brandon Popovac (786-7465)

Background: Residential-Landlord Tenant Act. 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.

Except for rental agreements governing subsidized tenancies, a landlord must provide each

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affected tenant a minimum of 60 days prior written notice of an increase in the amount of rent, and any rent increase may not become effective before the end of the term of the rental agreement. For subsidized tenancies where the rental amount is based on the income of the tenant or circumstances specific to the subsidized household, the landlord must provide 30 days prior notice of the rent increase and the rent increase may become effective at the end of the rental term or sooner upon mutual consent.

Governor's Eviction Moratorium—Proclamation 20-19.5. On March 18, 2020, Governor Inslee issued Proclamation 20-19 to prohibit a number of activities related to residential evictions by all residential landlords operating residential rental property in the state. Since then, the Governor has issued multiple extensions of the eviction moratorium with the current variation, Proclamation 20-19.5, set to expire March 31, 2021.

Currently, the eviction moratorium prohibits landlords, property owners, and property managers from increasing, or threatening to increase, the rate of rent for any dwelling or parcel of land occupied as a dwelling, except when the landlord, property owner, or property manager provides:

- advance notice of a rent increase as required under the Manufactured/Mobile Home Landlord-Tenant Act; or
- notice of a rent increase specified by the terms of the existing lease, if the noticed rent increase does not take effect until after the expiration of the eviction moratorium, the notice is restricted to its limited purpose, and does not contain any threatening or coercive language, including any language threatening eviction or describing unpaid rent or other charges.

Summary of Bill: A landlord may not increase any monthly rent or other charges for the first six months after expiration of the Governor's eviction moratorium.

For a six-month period after the initial six-month prohibition period, a landlord may not increase the monthly rent more than three percentage points above the previous year's United States consumer price index for all urban consumers, housing component. Any rent increase imposed during this time period must be based on the base monthly rent in effect as of March 1, 2020.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.