

# HOUSE BILL ANALYSIS

## HB 1164

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**Title:** An act relating to dispute resolution services.

**Brief Description:** Requiring dispute resolution costs to be shared equally between landlords and tenants.

**Sponsors:** Representatives Sheahan and Sheldon.

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Staff:** Trudes Hutcheson (786-7384).

**Background:** Various organizations offer alternative dispute resolution services, such as arbitration and mediation, to help parties resolve their conflicts before resorting to the court system.

Under the Residential Landlord-Tenant Act and the Mobile Home Landlord-Tenant Act, a landlord and tenant may, upon agreement, submit certain disputes to mediation or arbitration. If the parties have agreed to arbitration, the arbitration fee is shared equally, unless the arbitrator allocates the fee differently. Both acts provide that if either party is unable to pay his or her share of the arbitration fee, that portion of the fee can be waived or deferred.

Under RCW 7.75, cities and counties may establish and operate dispute resolution centers. A dispute resolution center established under RCW 7.75 receives funding from a portion of court filing fees. A dispute resolution center established under RCW 7.75 must provide services either without charge to the participants or for a fee based on the participants' ability to pay. RCW 7.75 does not preclude other organizations, arbitrators, or mediators from offering dispute resolution services.

**Summary of Bill:** When a dispute resolution center established under RCW 7.75 charges a fee for services to parties resolving a dispute under the Residential Landlord-Tenant Act or the Mobile Home Landlord-Tenant Act, the parties receiving the services must share the fee equally, unless they agree otherwise.

**Fiscal Note:** Not requested.

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

Office of Program Research