
HOUSE BILL 2311

State of Washington

56th Legislature

2000 Regular Session

By Representatives Haigh, Van Luven, Lovick, Veloria, Tokuda, Rockefeller, Dickerson, Skinner, Kagi, Fortunato, Miloscia, Keiser, Lantz, Eickmeyer, Wood, Gombosky, Anderson, O'Brien, Cody, Kenney, Santos, Edwards, Conway and D. Sommers

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1 AN ACT Relating to creating the office of assisted housing
2 ombudsman; and adding a new chapter to Title 43 RCW.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Assisted housing" means any single or multifamily dwelling
7 unit that is owned or managed by a housing authority.

8 (2) "Department" means the department of community, trade, and
9 economic development.

10 (3) "Director" means the director of the department of community,
11 trade, and economic development.

12 (4) "Housing authority" has the same meaning as in RCW 35.82.020.

13 (5) "Office" means the office of assisted housing ombudsman.

14 NEW SECTION. **Sec. 2.** (1) In order to provide general assistance
15 to tenants in assisted housing and housing authorities, the department
16 shall establish the office of assisted housing ombudsman. The office
17 shall serve as the coordinating office within state government for

1 matters relating to landlord-tenant relationships between tenants of
2 assisted housing and housing authorities.

3 (2) The department shall provide an ombudsman service to tenants of
4 assisted housing and housing authorities with respect to problems and
5 disputes between housing authorities and tenants of assisted housing.
6 The office shall be responsible for investigating and resolving
7 complaints between residents of assisted housing and the housing
8 authority.

9 (3) The department may contract with nonprofit organizations to
10 provide the ombudsman services required under this chapter.

11 (4) In order to implement this chapter, the department shall have
12 the following powers and duties:

13 (a) To provide services for coordinating the activities of the
14 assisted housing ombudsman throughout the state;

15 (b) To establish procedures consistent with section 5 of this act
16 for appropriate access by the assisted housing ombudsman to tenant and
17 housing authority files, including procedures to protect the
18 confidentiality of the files and ensure that the identity of any
19 complainant or tenant will not be disclosed without the written consent
20 of the complainant or tenant, or upon court order;

21 (c) To establish a state-wide uniform reporting system to collect
22 and analyze data relating to complaints for the purpose of identifying
23 and resolving significant problems, with provisions for submission of
24 such data to the appropriate legislative committees, on a regular
25 basis;

26 (d) To establish procedures to assure that any files maintained by
27 the office of assisted housing ombudsman shall be disclosed only at the
28 discretion of the ombudsman having authority over the disposition of
29 such files, except that the identity of any complainant or tenant of
30 assisted housing shall not be disclosed by such ombudsman unless:

31 (i) Such complainant or tenant, or the complainant's or tenant's
32 legal representative, consents in writing to such disclosure; or

33 (ii) Such disposition is required by court order;

34 (e) To carry out such other activities the department deems
35 appropriate to implement this chapter; and

36 (f) To adopt rules to carry out this chapter in accordance with
37 federal and state regulations and rules that govern landlord-tenant
38 relations in assisted housing.

1 NEW SECTION. **Sec. 3.** Any person employed, retained, or contracted
2 by the department as an assisted housing ombudsman under this chapter
3 shall have training or experience or both in the following areas:

4 (1) Federal or state assisted housing programs;

5 (2) The federal and state laws governing landlord-tenant
6 relationships; and

7 (3) Dispute or problem resolution techniques, including
8 investigation, mediation, and negotiation.

9 NEW SECTION. **Sec. 4.** Every housing authority shall post in a
10 conspicuous location a notice that contains the name, address, and
11 phone number of the office of assisted housing ombudsman and a brief
12 description of the services provided by the office. The form of the
13 notice shall be approved by the office. This information shall also be
14 distributed to tenants of assisted housing.

15 NEW SECTION. **Sec. 5.** All records and files of the office of
16 assisted housing ombudsman relating to any complaint or investigation
17 made pursuant to carrying out its duties and the identities of
18 complainants, witnesses, or tenants shall remain confidential unless
19 disclosure is authorized by the tenant or their legal representative.
20 No disclosure may be made outside the office without the consent of any
21 named tenant or complainant unless the disclosure is made without the
22 identity of the individuals being disclosed.

23 NEW SECTION. **Sec. 6.** If any provision of this act or its
24 application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

27 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
28 a new chapter in Title 43 RCW.

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