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SENATE BILL 5407

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State of Washington

65th Legislature

2017 Regular Session

By Senators Frockt, Miloscia, Walsh, Mullet, Billig, Kuderer, Pedersen, Hasegawa, Darneille, and Keiser

Read first time 01/24/17. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to ensuring housing options; and adding a new  
2 section to chapter 59.18 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 59.18  
5 RCW to read as follows:

6 (1) A landlord may not, based on the source of income of an  
7 otherwise eligible applicant or tenant:

8 (a) Refuse to lease or rent any real property to an applicant;

9 (b) Expel a tenant from any real property;

10 (c) Make any distinction, discrimination, or restriction against  
11 an applicant or tenant in the price, terms, conditions, or privileges  
12 relating to the rental, lease, or occupancy of real property or in  
13 the furnishing of any facilities or services in connection with the  
14 rental, lease, or occupancy of real property;

15 (d) Attempt to discourage the rental or lease of any real  
16 property to an applicant;

17 (e) Publish, circulate, issue, or display, or cause to be  
18 published, circulated, issued, or displayed, any communication,  
19 notice, advertisement, or sign of any kind relating to the rental or  
20 lease of real property that indicates any source of income;

1 (f) Assist, induce, incite, or coerce another person to commit an  
2 act or engage in a practice that violates this section;

3 (g) Coerce, intimidate, threaten, or interfere with any person in  
4 the exercise or enjoyment of, or on account of the person having  
5 exercised or enjoyed or having aided or encouraged any other person  
6 in the exercise or enjoyment of, any right granted or protected under  
7 this section;

8 (h) Represent to a person that a dwelling unit is not available  
9 for rental when the dwelling unit in fact is available for rental; or

10 (i) Otherwise make unavailable or deny a dwelling unit to an  
11 applicant that, but for his or her source of income, would be  
12 eligible to rent real property.

13 (2) If a landlord requires that an applicant have a certain  
14 threshold level of income, any source of income in the form of a rent  
15 voucher or subsidy must be subtracted from the total of the monthly  
16 rent prior to calculating if the income criteria have been met.

17 (3) This section does not limit the applicability of any  
18 reasonable local, state, or federal restrictions regarding the  
19 maximum number of occupants permitted to occupy a dwelling unit.

20 (4) A person in violation of this section may be held liable in a  
21 civil action for up to treble the damages sustained by the tenant or  
22 applicant. The prevailing party may also recover court costs and  
23 reasonable attorneys' fees.

24 (5) As used in this section:

25 (a) "Source of income" includes income derived from social  
26 security, supplemental security income, other retirement programs,  
27 and any federal, state, local, or nonprofit-administered benefit or  
28 subsidy programs, including housing assistance, public assistance,  
29 and general assistance programs.

30 (b) "Source of income" does not include income derived in an  
31 illegal manner.

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