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**SUBSTITUTE SENATE BILL 5907**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senate Housing Stability & Affordability (originally sponsored by Senators Kuderer, Das, and Nguyen)

AN ACT Relating to a comparative study of the impact of attorney representation for tenants in unlawful detainer proceedings; creating a new section; making appropriations; providing an effective date; and declaring an emergency.

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

NEW SECTION. **Sec.**  (1) From July 1, 2019, until December 31, 2020, the office of civil legal aid must conduct a comparative study of the impact of attorney representation for tenants in unlawful detainer proceedings. The office of civil legal aid must contract with a Washington state-based research institution to study differences in outcomes in residential landlord-tenant unlawful detainer cases as described in this section.

(2) The office of civil legal aid, in collaboration with the contracted research institution, shall work with the superior courts in counties with a total population between five hundred thousand and eight hundred fifty thousand to secure the appointment of and payment for attorney representation and track relevant data and outcomes in seven hundred fifty residential unlawful detainer cases in each county during the study period. The office of civil legal aid, in collaboration with the contracted research institution, shall work with the superior courts in counties with a total population between four hundred thousand and five hundred thousand and between eight hundred fifty thousand and nine hundred thousand to track relevant data and outcomes in seven hundred fifty residential unlawful detainer cases in which no attorney appeared of record on behalf of the tenant in each county during the study period.

(3) Study data must be disaggregated by gender, race, age, and other relevant demographic characteristics. The research must track, among other relevant data, the grounds claimed for eviction, the amount of rent claimed unpaid in cases where nonpayment of rent is the basis for the unlawful detainer action, whether the tenant received a governmental rent subsidy, the amount of costs and fees claimed due in the initial complaint, whether a writ of restitution was issued, and the amount of any money judgment, award of costs and fees, including attorneys' fees, entered in the case.

(4) The office of civil legal aid must contract with nonprofit legal aid providers for legal representation in cases where attorneys are appointed to represent defendants in unlawful detainer cases involved in the study. The superior courts in each of the counties are respectfully requested to work with the office of civil legal aid and the research institution engaged in the study to (a) facilitate the appointment of contracted attorneys in unlawful detainer cases that will be included in the study and (b) establish systems to track data required to be collected. The office of civil legal aid may reimburse the participating counties for the actual costs of establishing data collection and tracking systems and the appointment of counsel in an amount not to exceed fifteen thousand dollars per county during the study period.

(5) A preliminary report must be submitted to the appropriate committees of the legislature by January 31, 2021, and a final report on the study must be submitted to the appropriate committees of the legislature by March 31, 2021.

NEW SECTION. **Sec.**  The sum of five hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, and the sum of four hundred thousand, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the general fund to the office of civil legal aid for the purposes of this act.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2019.

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