

SENATE BILL REPORT

ESHB 1440

As Passed Senate, April 10, 2019

Title: An act relating to providing longer notice of rent increases.

Brief Description: Providing longer notice of rent increases.

Sponsors: House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Robinson, Macri, Riccelli, Gregerson, Doglio, Tarleton, Kloba, Frame, Jinkins, Morgan, Ortiz-Self and Ormsby).

Brief History: Passed House: 3/05/19, 62-36.

Committee Activity: Financial Institutions, Economic Development & Trade: 3/19/19, 3/28/19 [DP].

Floor Activity:

Passed Senate: 4/10/19, 29-18.

Brief Summary of Bill

- Requires a landlord to provide a tenant at least 60 days prior written notice of an increase in rent, except in the case of rental agreements governing subsidized tenancies where the rental amount is based on the income of the tenant or circumstances specific to the subsidized household.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, ECONOMIC DEVELOPMENT & TRADE

Majority Report: Do pass.

Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Das and Ericksen.

Staff: Kellee Gunn (786-7429)

Background: 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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A rental agreement may establish a tenancy for a specified period of time, for example, one year, or a periodic tenancy, such as, month to month. A tenancy for a specified time, also called a lease, is terminated at the end of the specified period. A periodic tenancy is automatically renewed until terminated by either the tenant or the landlord according to statutory notice requirements.

A landlord may change the rent price and other terms of the tenancy by providing all the affected tenants with 30-day prior written notice of the change. A change in rent or other terms of the tenancy becomes effective at the end of the rental term, or sooner with mutual consent.

A landlord or tenant may terminate a periodic tenancy by providing written notice of termination at least 20 days prior to the end of the month.

Summary of Bill: Except for rental agreements governing subsidized tenancies, a landlord must provide each 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.

Appropriation: None.

Fiscal Note: Not requested.

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

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

Staff Summary of Public Testimony: PRO: Some of my constituents moved into a community for individuals who are fifty-five years of age or older, and are now receiving frequent notices of rent increases. The rent increases are happening both at the end of the lease, and mid-lease. This legislation gives tenants additional notice to prepare for a rent increase. This bill will provide 60 days notice to tenant before a rent increase. This provides a tenant the ability to decide whether to move if they cannot pay the higher rent. Rent increases are very difficult on tenants, especially fixed-income households. In a good economy, this notice requirement helps lower income tenants and fixed income tenants.

Persons Testifying: PRO: Representative June Robinson, Prime Sponsor; Michele Thomas, Washington Low Income Housing Alliance; Sarah Nagy, Columbia Legal Services.

Persons Signed In To Testify But Not Testifying: No one.