

SENATE BILL REPORT

SB 6210

As of January 25, 2024

Title: An act relating to unlawful detainer actions.

Brief Description: Concerning unlawful detainer actions.

Sponsors: Senator Mullet.

Brief History:

Committee Activity: Housing: 1/26/24.

Brief Summary of Bill

- Creates a grant program to be administered by the Department of Commerce in collaboration with the Office of Civil Legal Aide to allow superior courts to appoint more commissioners.
- Modifies provisions relating to show cause hearings.

SENATE COMMITTEE ON HOUSING

Staff: Samantha Doyle (786-7335)

Background: Residential Landlord-Tenant Act. The Residential Landlord-Tenant Act (RLTA) governs the relationship and agreements between residential landlords and tenants. These regulations include provisions regarding the rights and duties of both landlords and tenants. The RLTA further establishes the procedures for enforcement and remedies for violations. These procedures include how and when tenancy expires or may be ended. The RLTA dictates that district or superior courts have jurisdiction over claims arising under the act.

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

Forcible Entry or Unlawful Detainer Actions. After a default in payment of rent by a tenant, landlords after providing proper notice may seek to evict a tenant through an unlawful detainer action. At a hearing of the plaintiff landlord's motion for a writ of restitution, the defendant tenant, or occupant claiming possession of the property, may answer in writing or orally.

For forcible entry or unlawful detainer actions, the superior court of the county in which the property sits has jurisdiction. Due to the COVID-19 pandemic, there was an eviction moratorium and extension from March 18, 2020 to October 31, 2021.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): A grant program is created and administered by the Department of Commerce in collaboration with OCLA to assist eligible counties to add one or more court commissioners to oversee factions arising out of the RLTA or forcible entry or unlawful detainer actions. Counties with populations greater than 527,000 according to 2023 estimates prepared by the Office of Financial Management are eligible. No county with a population under 2 million may receive more than \$750,000.

A defendant tenant must answer in writing prior to a hearing on a motion for a writ of restitution.

Appropriation: The bill contains an appropriation totaling \$5,250,000 from the general fund.

Fiscal Note: Available.

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

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