

SENATE BILL REPORT

SHB 1472

As of March 24, 2003

Title: An act relating to clean and sober housing.

Brief Description: Managing clean and sober housing.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Veloria, Skinner, Eickmeyer, McCoy, Miloscia, McDonald and Condotta).

Brief History:

Committee Activity: Financial Services, Insurance & Housing: 3/27/03.

SENATE COMMITTEE ON FINANCIAL SERVICES, INSURANCE & HOUSING

Staff: Alison Mendiola-Hamilton (786-7576)

Background: The Residential Landlord-Tenant Act governs landlord-tenant relationships. Tenants living in rental housing designed to be "clean and sober housing" fall under the scope of the Landlord-Tenant Act.

There is a concern that the ability of a landlord to effectively deal with a tenant who violates the rules of clean and sober housing is substantially limited by the Landlord-Tenant Act.

Summary of Bill: For housing to be designated as "drug and alcohol free," the landlord provides a drug and alcohol free environment, and support for recovery. There is a written rental agreement that specifies the tenant and his or her guests may not use or possess alcohol or illegal drugs. The tenant participates in a program of recovery and reports quarterly to the landlord his or her progress, including verification that the tenant is not using alcohol or illegal drugs.

The landlord has the right to request a urine analysis of the tenant to confirm sobriety, at the landlord's discretion and expense.

If the tenant has been a resident of clean and sober housing for less than two years, he or she may be evicted if he or she uses alcohol or illegal drugs. The tenant first receives written notice from the landlord of the violation, which must state that the rental agreement terminates within three days. The tenant can cure the violation within one day of delivery. If a substantially similar violation occurs twice within six months, the landlord can terminate the tenancy with a one-day written notice, and the tenant does not have a right to cure the subsequent violation.

Appropriation: None.

Fiscal Note: Not requested.

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