
HOUSE BILL 1299

State of Washington 61st Legislature 2009 Regular Session

By Representatives O'Brien, Warnick, Williams, McCune, Rodne, and Simpson

Read first time 01/16/09. Referred to Committee on Judiciary.

1 AN ACT Relating to local government crime-free rental housing
2 programs; adding new sections to chapter 35.21 RCW; adding a new
3 section to chapter 59.18 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that local
6 governments, landlords, and tenants working together to provide crime-
7 free rental housing is beneficial to the public health, safety, and
8 welfare. The intent of this act is to provide certain requirements
9 that a local government must follow in adopting a crime-free rental
10 housing program and to provide landlords with a tool to stop criminal
11 activity on their property.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW
13 to read as follows:

14 (1) A city, town, or county may adopt and implement a local
15 government crime-free rental housing program designed to reduce crime,
16 drugs, and gangs on rental properties by having the rental property
17 owner or manager: Attend classes on property management; submit to a
18 crime prevention through environmental design inspection; agree to

1 screen all applicants and to not rent to criminals; agree not to hire
2 known felons for work on the property; or hold a crime awareness social
3 on the property or in the neighborhood.

4 (2) A local government crime-free rental housing program shall
5 comply with the following requirements:

6 (a) Landlord involvement in a program must be on a voluntary basis.
7 The city, town, or county implementing the program may not treat a
8 landlord who elects not to participate in a program differently than a
9 landlord who elects to participate in the program.

10 (b) Participation in a program may not be a condition to a landlord
11 obtaining a business license or meeting any other requirement imposed
12 by a city, town, or county for a landlord to own and operate rental
13 housing.

14 (c) A city, town, or county implementing a program may charge a
15 landlord an annual fee for participating in the program, but may not
16 charge a separate fee for providing law enforcement services to a
17 landlord's rental property.

18 (d) If a program provides for education, the city, town, or county
19 may educate landlords and tenants on crime prevention, key control and
20 master key use, and responding to criminal activity, gangs, and drug
21 activities. Educational programs regarding rental property leases,
22 addendums, tenant background screening, notices, evictions, and
23 chapters 59.12, 59.18, and 59.20 RCW may be taught by state and local
24 associations representing landlords or experts in that particular
25 field.

26 (e) A program may not impose any requirements on how a landlord
27 operates rental housing, including employee standards, tenant screening
28 standards, property construction and maintenance standards, or any
29 other activities that would normally be in the strict purview of the
30 rental housing owner.

31 (3) This section does not affect a city, town, or county's
32 authority to enforce existing law in regard to rental housing, except
33 in regard to a crime-free rental housing program.

34 (4) As used in this section, "rental housing" means any tenancy
35 subject to chapter 59.12, 59.18, or 59.20 RCW.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.21 RCW
37 to read as follows:

1 (1) When criminal activity on a rental property is suspected or has
2 occurred, the city, town, or county shall provide law enforcement
3 assistance and technical assistance to rental property owners and
4 managers to prevent further criminal activity on the property.

5 (2) Rental property owners or managers may contact law enforcement
6 to request assistance with the following:

7 (a) Providing the property owner or manager with all documentation
8 associated with the suspected or convicted criminal activity; and

9 (b) Police communication with the tenant responsible for the
10 criminal activity to clarify that the criminal activity will result in
11 an eviction.

12 (3) As used in this section, "criminal activity" means a criminal
13 act defined by statute or ordinance that threatens the health, safety,
14 or welfare of the tenants, owner, or property manager.

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

17 (1) If a tenant has engaged in criminal activity, a rental property
18 owner may terminate the tenancy immediately and may commence an
19 unlawful detainer action under this chapter. A rental property owner
20 seeking to evict a tenant or occupant under this section is not
21 required to produce evidence of a criminal conviction, even if the
22 alleged misconduct constitutes a criminal offense. The following
23 constitute sufficient grounds for a rental property owner to evict a
24 tenant under this section:

25 (a) Notice from a law enforcement agency of criminal activity;

26 (b) Notification of the seizure of illegal drugs under RCW
27 59.20.155; or

28 (c) A tenant or occupant who registers as a sex offender under RCW
29 9A.44.130.

30 (2) As used in this section, "criminal activity" means a criminal
31 act defined by statute or ordinance that threatens the health, safety,
32 or welfare of the tenants, owner, or property manager.

33 NEW SECTION. **Sec. 5.** This act may be known and cited as the local
34 government crime-free rental housing act.

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