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**SENATE BILL 5378**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Kohl-Welles, Miloscia, Frockt, Darneille, Pedersen, Jayapal, Hobbs, McAuliffe, Keiser, and Chase

AN ACT Relating to ensuring housing options for participants in government assistance programs; and adding a new section to chapter 59.18 RCW.

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

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

(1) A person may not, based on the source of income of an otherwise eligible applicant or tenant:

(a) Refuse to lease or rent any real property to an applicant;

(b) Expel a tenant from any real property;

(c) Make any distinction, discrimination, or restriction against an applicant or tenant in the price, terms, conditions, or privileges relating to the rental, lease, or occupancy of real property or in the furnishing of any facilities or services in connection with the rental, lease, or occupancy of real property;

(d) Attempt to discourage the rental or lease of any real property to an applicant;

(e) Publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, or sign of any kind relating to the rental or lease of real property that indicates any source of income;

(f) Assist, induce, incite, or coerce another person to commit an act or engage in a practice that violates this section;

(g) Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of the person having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected under this section;

(h) Represent to a person that a dwelling unit is not available for rental when the dwelling unit in fact is available for rental; or

(i) Otherwise make unavailable or deny a dwelling unit to an applicant that, but for his or her source of income, would be eligible to rent real property.

(2)(a) This section does not apply with respect to housing for older persons as defined by the federal fair housing amendments act of 1988, 42 U.S.C. Sec. 3607(b)(1) through (3), as amended by the housing for older persons act of 1995, P.L. 104-76, as enacted on December 28, 1995. This section does not authorize requirements for housing for older persons different than the requirements in the federal fair housing amendments act of 1988, 42 U.S.C. Sec. 3607(b)(1) through (3), as amended by the housing for older persons act of 1995, P.L. 104-76, as enacted on December 28, 1995.

(b) This section does not limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit.

(3) A person in violation of this section may be held liable in a civil action for up to treble the damages sustained by the tenant or applicant. The prevailing party may also recover court costs and reasonable attorneys' fees.

(4) As used in this section:

(a) "Source of income" includes income derived from social security, supplemental security income, other retirement programs, and any federal, state, local, or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs.

(b) "Source of income" does not include income derived in an illegal manner.

**--- END ---**