
Judiciary Committee

HB 1565

Title: An act relating to ensuring housing options for participants in government assistance programs.

Brief Description: Concerning the preservation of housing options for participants in government assistance programs.

Sponsors: Representatives Ormsby, Walsh, Pettigrew, Kirby, Jenkins, Robinson, Riccelli, Wylie and Santos.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Prohibits a person from discriminating against a tenant based on his or her source of income.• Creates a civil action for violations.
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Hearing Date: 2/4/15

Staff: Brent Campbell (786-7152).

Background:

The Residential Landlord-Tenant Act (RLTA) regulates the rights and duties of landlords and tenants in residential rental housing.

Under the RLTA, landlords may screen and evaluate potential tenants either by conducting their own searches of public records or by using companies that provide consumer reports for use in tenant screening. Such reports may include information about a tenant's credit, employment, criminal background, and civil judgments. A landlord may use the information obtained from these reports to determine whether a prospective tenant would make a suitable tenant. However, under laws against discrimination, a landlord may not use such information to discriminate against a prospective tenant with regard to sex, marital status, sexual orientation, race, creed, color, national origin, families with children status, honorably discharged veteran status, the

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presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.

Summary of Bill:

A person is prohibited from taking certain acts based on the source of income of an otherwise eligible applicant or tenant. Prohibited acts include, but are not limited to:

- refusing to lease or rent any real property to an applicant;
- expelling a tenant from any real property;
- making any distinction, discrimination, or restriction against an applicant or tenant in the price, terms, conditions, or privileges relating to the rental;
- attempting to discourage the rental or lease of any real property;
- publishing, circulating, issuing, or displaying any communication of any kind relating to the rental or lease of real property that indicates any source of income; and
- assisting another to commit a prohibited act.

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. Source of income does not include income derived in an illegal manner.

These prohibitions do not apply with respect to housing for older persons as defined by federal law. The prohibitions are also not applicable to local, state, and federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit.

A person who violates a listed act may be held liable for up to treble damages. The prevailing party may also recover court costs and reasonable attorneys' fees.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.