
SENATE BILL 5378

State of Washington

64th Legislature

2015 Regular Session

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

Read first time 01/20/15. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to ensuring housing options for participants in
2 government assistance programs; and adding a new section to chapter
3 59.18 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 59.18
6 RCW to read as follows:

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

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

10 (b) Expel a tenant from any real property;

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

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

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

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

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

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

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

13 (2)(a) This section does not apply with respect to housing for
14 older persons as defined by the federal fair housing amendments act
15 of 1988, 42 U.S.C. Sec. 3607(b)(1) through (3), as amended by the
16 housing for older persons act of 1995, P.L. 104-76, as enacted on
17 December 28, 1995. This section does not authorize requirements for
18 housing for older persons different than the requirements in the
19 federal fair housing amendments act of 1988, 42 U.S.C. Sec.
20 3607(b)(1) through (3), as amended by the housing for older persons
21 act of 1995, P.L. 104-76, as enacted on December 28, 1995.

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

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

29 (4) As used in this section:

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

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

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