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**SENATE BILL 5407**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Frockt, Miloscia, Walsh, Mullet, Billig, Kuderer, Pedersen, Hasegawa, Darneille, and Keiser

AN ACT Relating to ensuring housing options; 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 landlord 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) If a landlord requires that an applicant have a certain threshold level of income, any source of income in the form of a rent voucher or subsidy must be subtracted from the total of the monthly rent prior to calculating if the income criteria have been met.

(3) 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.

(4) 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.

(5) 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 ---**