1441 AMH CALD EYCH 247

**HB 1441** - H AMD **344**

By Representative Caldier

On page 2, line 19, after "pandemic"" insert "or "COVID-19""

On page 2, after line 29, insert the following:

"(4) The provisions of this section only apply to a prospective tenant who has completed an affidavit of COVID-19 hardship as described in section 2 of this act.

NEW SECTION. **Sec. 2.** A new section is added to chapter 59.18 RCW to read as follows:

(1)(a) In order to receive protections under section 1 of this act, a prospective tenant must first complete and return to the landlord an affidavit of COVID-19 hardship explaining why their rent was unpaid during an eviction moratorium. The landlord must provide the affidavit form to the prospective tenant as described in subsection (5) of this section.

(b) The prospective tenant must return the affidavit of COVID-19 hardship to the landlord in person, by first-class mail, or electronically by sending a copy or photograph of the signed affidavit and any required documentation to the landlord.

(2) COVID-19 hardship exists when a prospective tenant has experienced at least one of the following hardships since February 29, 2020:

(a) Loss of income caused by COVID-19 by more than 50 percent year-over-year;

(b) Extraordinary out-of-pocket expenses directly related to performing essential work during COVID-19;

(c) Extraordinary expenses directly related to health impacts of COVID-19;

(d) New care responsibilities for a child or an elderly, disabled, or sick family member directly related to COVID-19 that limit the prospective tenant's ability to earn income;

(e) Extraordinary costs for child care or attending to an elderly, disabled, or sick family member directly related to COVID-19.

(3) A prospective tenant whose household income exceeds 130 percent of the area median income for the county in which the prospective tenant resided when his or her rent became past due may be required to provide additional documentation supporting the prospective tenant's claim of financial distress with his or her affidavit of COVID-19 hardship.

(4) Beginning August 31, 2021, any prospective tenant completing the affidavit of COVID-19 hardship must provide documented proof of hardship.

(5) The affidavit of COVID hardship provided by the landlord to a prospective tenant must be in substantially the following form:

Date:

Prospective Tenant Name(s):

Rental Property Address:

Landlord Name:

Landlord Address:

AFFIDAVIT OF COVID-19 HARDSHIP AFFECTING PAYMENT OF RENT

The prospective tenant must provide this signed document to the landlord.

'I attest that I have experienced at least one of the following hardships since February 29, 2020 and that the following are true and correct:

(a) I was previously unable to pay my regular monthly rent for one of the following reasons:

(i) Loss of income caused by the COVID-19 pandemic by more than 50 percent year-over-year.

(ii) Extraordinary out-of-pocket expenses directly related to performing essential work during the COVID-19 pandemic.

(iii) Extraordinary expenses directly related to health impacts of the COVID-19 pandemic.

(iv) Child care responsibilities or responsibilities to care for an elderly, disabled, or sick family member directly related to the COVID-19 pandemic that limit my ability to earn income.

(v) Extraordinary costs for child care or attending to an elderly, disabled, or sick family member directly related to the COVID-19 pandemic.

(b) My income is less than 130 percent of the area median income for the county where I resided at the time my rent became past due. (If the landlord alleges you earn more than 130 percent of area median income for the county where the rental property is located, you must provide documentation supporting your claim of COVID-19 hardship.)

(c) During the time I was unable to pay my rent, I made a good faith effort to obtain available government assistance for rent or housing.

(d) I made a good faith effort to make timely partial rent payments that were as close to the full payment as my circumstances permitted, taking into account other nondiscretionary expenses.

(e) If unable to rent or lease a property, I will likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.

(f) I understand that I must still pay rent or make a housing payment, and comply with other obligations that I may have under a future tenancy, lease agreement, or similar contract. I further understand that, beginning August 31, 2021, any prospective tenant completing this affidavit of COVID-19 hardship must provide documented proof of hardship.'

Signature of Prospective Tenant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

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|  | **EFFECT:**   Applies the protections in the act to prospective tenants who provide the landlord with an affidavit of COVID-19 hardship. Provides the form and content for an affidavit of COVID-19 hardship. Includes "COVID-19" in the definition describing the COVID-19 pandemic. |

**--- END ---**