

ESHB 1236 - S AMD TO S AMD (S-2683.3/21) **695**

By Senator Fortunato

NOT ADOPTED 04/08/2021

1 On page 8, line 31, after "notice" insert ". For purposes of
2 this subsection (2)(b), a "substantial breach of a material term
3 subscribed to by the tenant within the lease or rental agreement"
4 means the totality of the circumstances, including factors such as
5 whether there has been a significant number of complaints to the
6 landlord about the tenant's activities at the property, damage done
7 by the tenant to the property, including the property of other
8 tenants or neighbors, harassment or threats made by the tenant to
9 other tenants or neighbors that have been reported to law
10 enforcement agencies, any police incident reports involving the
11 tenant, and the tenant's criminal history"

12 On page 11, line 38, after "occurrences;" strike "and"

13 On page 12, line 2, after "violation;" insert "and"

14 (vii) For purposes of this subsection (2)(n), a "substantial
15 breach of a material term subscribed to by the tenant within the
16 lease or rental agreement" means the totality of the circumstances,
17 including factors such as whether there has been a significant
18 number of complaints to the landlord about the tenant's activities
19 at the property, damage done by the tenant to the property,
20 including the property of other tenants or neighbors, harassment or
21 threats made by the tenant to other tenants or neighbors that have
22 been reported to law enforcement agencies, any police incident
23 reports involving the tenant, and the tenant's criminal history;"

24 EFFECT: Provides a definition for substantial breach of a
material term subscribed to by the tenant within the lease or rental
agreement for purposes of two of the specified enumerated causes to
evict or refuse to renew or end a tenancy.

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