
HOUSE BILL 1441

State of Washington

67th Legislature

2021 Regular Session

By Representatives Morgan, Macri, Simmons, Berry, J. Johnson, Davis, Valdez, Taylor, Wicks, Fitzgibbon, Ramel, Bergquist, Chopp, Gregerson, Peterson, Ormsby, Pollet, Hackney, Thai, Berg, and Harris-Talley

Read first time 02/01/21. Referred to Committee on Housing, Human Services & Veterans.

1 AN ACT Relating to prohibiting discrimination against prospective
2 tenants for unpaid rent or eviction during the COVID-19 pandemic;
3 adding a new section to chapter 59.18 RCW; prescribing penalties; and
4 declaring an emergency.

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

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

8 (1) A landlord may not, based on a balance of rent due that was
9 accrued during an eviction moratorium and has not been paid by an
10 otherwise eligible prospective tenant, or based on an eviction that
11 resulted from unpaid rent that accrued during an eviction moratorium:

12 (a) Refuse to lease or rent any real property to a prospective
13 tenant;

14 (b) Make any distinction, discrimination, or restriction against
15 a prospective tenant in the price, terms, conditions, fees, or
16 privileges relating to the rental, lease, or occupancy of real
17 property or in the furnishing of any facilities or services in
18 connection with the rental, lease, or occupancy of real property;

19 (c) Attempt to discourage the rental or lease of any real
20 property to a prospective tenant;

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

3 (e) 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 (f) Represent to a person that a dwelling unit is not available
9 for inspection or rental when the dwelling unit in fact is available
10 for inspection or rental; or

11 (g) Otherwise make unavailable or deny a dwelling unit to a
12 prospective tenant that, but for his or her rental arrears, would be
13 eligible to rent real property.

14 (2) A person in violation of this section shall be held liable in
15 a civil action up to four and one-half times the monthly rent of the
16 real property at issue, as well as court costs and reasonable
17 attorneys' fees.

18 (3) For the purposes of this section:

19 (a) "COVID-19 pandemic" means the public health emergency related
20 to the 2019 novel coronavirus disease that was declared a pandemic by
21 the world health organization on March 11, 2020.

22 (b) "Eviction moratorium" includes:

23 (i) The moratorium on residential evictions established by the
24 governor through proclamation 20-19 beginning March 18, 2020, and
25 includes all subsequent orders extending and amending this
26 proclamation; and

27 (ii) Any federal order requiring a temporary halt on residential
28 evictions issued by a federal agency or authority during the COVID-19
29 pandemic.

30 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of
32 the state government and its existing public institutions, and takes
33 effect immediately.

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