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**SENATE BILL 6065**

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**State of Washington**                      **68th Legislature**                      **2024 Regular Session**

**By** Senators Saldaña, Lovelett, Kuderer, Valdez, and C. Wilson

Read first time 01/09/24. Referred to Committee on Housing.

1            AN ACT Relating to the property tax exemption for cities or  
2 counties providing affordable housing to qualifying households; and  
3 amending RCW 84.36.560.

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

5            **Sec. 1.** RCW 84.36.560 and 2023 c 277 s 11 are each amended to  
6 read as follows:

7            (1) The real and personal property owned or used by a nonprofit  
8 entity in providing rental housing for qualifying households or used  
9 to provide space for the placement of a mobile home for a qualifying  
10 household within a mobile home park is exempt from taxation if:

11            (a) The benefit of the exemption inures to the nonprofit entity;

12            (b) At least (~~seventy-five~~) 75 percent of the occupied dwelling  
13 units in the rental housing or lots in a mobile home park are  
14 occupied by a qualifying household; and

15            (c) The rental housing or lots in a mobile home park were  
16 insured, financed, or assisted in whole or in part through one or  
17 more of the following sources:

18            (i) A federal or state housing program administered by the  
19 department of commerce;

20            (ii) A federal housing program administered by a city or county  
21 government;

1 (iii) An affordable housing levy authorized under RCW 84.52.105  
2 or 84.55.050;

3 (iv) The surcharges authorized by RCW 36.22.250 and any of the  
4 surcharges authorized in chapter 43.185C RCW; (~~(or)~~)

5 (v) The Washington state housing finance commission, provided  
6 that the financing is for a mobile home park cooperative or a  
7 manufactured housing cooperative, as defined in RCW 59.20.030, or a  
8 nonprofit entity; or

9 (vi) Any city or county funds intended to assist in the  
10 development or preservation of affordable housing for qualifying  
11 households.

12 (2) If less than (~~(seventy-five)~~) 75 percent of the occupied  
13 dwelling units within the rental housing or lots in the mobile home  
14 park are occupied by qualifying households, the rental housing or  
15 mobile home park is eligible for a partial exemption on the real  
16 property and a total exemption of the housing's or park's personal  
17 property as follows:

18 (a) A partial exemption is allowed for each dwelling unit in the  
19 rental housing or for each lot in a mobile home park occupied by a  
20 qualifying household.

21 (b) The amount of exemption must be calculated by multiplying the  
22 assessed value of the property reasonably necessary to provide the  
23 rental housing or to operate the mobile home park by a fraction. The  
24 numerator of the fraction is the number of dwelling units or lots  
25 occupied by qualifying households as of December 31st of the first  
26 assessment year in which the rental housing or mobile home park  
27 becomes operational or on January 1st of each subsequent assessment  
28 year for which the exemption is claimed. The denominator of the  
29 fraction is the total number of dwelling units or lots occupied as of  
30 December 31st of the first assessment year the rental housing or  
31 mobile home park becomes operational and January 1st of each  
32 subsequent assessment year for which exemption is claimed.

33 (3) If a currently exempt rental housing unit or mobile home lot  
34 in a mobile home park was occupied by a qualifying household at the  
35 time the exemption was granted and the income of the household  
36 subsequently rises above the threshold set in subsection (7)(e) of  
37 this section but remains at or below (~~(eighty)~~) 80 percent of the  
38 median income, the exemption will continue as long as the housing  
39 continues to meet the certification requirements listed in subsection  
40 (1) of this section. For purposes of this section, median income, as

1 most recently determined by the federal department of housing and  
2 urban development for the county in which the rental housing or  
3 mobile home park is located, shall be adjusted for family size.  
4 However, if a dwelling unit or a lot becomes vacant and is  
5 subsequently rerented, the income of the new household must be at or  
6 below the threshold set in subsection (7)(e) of this section to  
7 remain exempt from property tax.

8 (4) If at the time of initial application the property is  
9 unoccupied, or subsequent to the initial application the property is  
10 unoccupied because of renovations, and the property is not currently  
11 being used for the exempt purpose authorized by this section but will  
12 be used for the exempt purpose within two assessment years, the  
13 property shall be eligible for a property tax exemption for the  
14 assessment year in which the claim for exemption is submitted under  
15 the following conditions:

16 (a) A commitment for financing to acquire, construct, renovate,  
17 or otherwise convert the property to provide housing for qualifying  
18 households has been obtained, in whole or in part, by the nonprofit  
19 entity claiming the exemption from one or more of the sources listed  
20 in subsection (1)(c) of this section;

21 (b) The nonprofit entity has manifested its intent in writing to  
22 construct, remodel, or otherwise convert the property to housing for  
23 qualifying households; and

24 (c) Only the portion of property that will be used to provide  
25 housing or lots for qualifying households shall be exempt under this  
26 section.

27 (5) To be exempt under this section, the property must be used  
28 exclusively for the purposes for which the exemption is granted,  
29 except as provided in RCW 84.36.805.

30 (6) The nonprofit entity qualifying for a property tax exemption  
31 under this section may agree to make payments to the city, county, or  
32 other political subdivision for improvements, services, and  
33 facilities furnished by the city, county, or political subdivision  
34 for the benefit of the rental housing. However, these payments shall  
35 not exceed the amount last levied as the annual tax of the city,  
36 county, or political subdivision upon the property prior to  
37 exemption.

38 (7) The definitions in this subsection apply throughout this  
39 section unless the context clearly requires otherwise.

1 (a) "Group home" means a single-family dwelling financed, in  
2 whole or in part, by one or more of the sources listed in subsection  
3 (1)(c) of this section. The residents of a group home shall not be  
4 considered to jointly constitute a household, but each resident shall  
5 be considered to be a separate household occupying a separate  
6 dwelling unit. The individual incomes of the residents shall not be  
7 aggregated for purposes of this exemption;

8 (b) "Mobile home lot" or "mobile home park" means the same as  
9 these terms are defined in RCW 59.20.030;

10 (c) "Occupied dwelling unit" means a living unit that is occupied  
11 by an individual or household as of December 31st of the first  
12 assessment year the rental housing becomes operational or is occupied  
13 by an individual or household on January 1st of each subsequent  
14 assessment year in which the claim for exemption is submitted. If the  
15 housing facility is comprised of three or fewer dwelling units and  
16 there are any unoccupied units on January 1st, the department shall  
17 base the amount of the exemption upon the number of occupied dwelling  
18 units as of December 31st of the first assessment year the rental  
19 housing becomes operational and on May 1st of each subsequent  
20 assessment year in which the claim for exemption is submitted;

21 (d) "Rental housing" means a residential housing facility or  
22 group home that is occupied but not owned by qualifying households;

23 (e)(i) "Qualifying household" means a single person, family, or  
24 unrelated persons living together whose income is at or below  
25 (~~fifty~~) 50 percent of the median income adjusted for family size as  
26 most recently determined by the federal department of housing and  
27 urban development for the county in which the rental housing or  
28 mobile home park is located and in effect as of January 1st of the  
29 year the application for exemption is submitted;

30 (ii) Beginning July 1, 2021, "qualifying household" means a  
31 single person, family, or unrelated persons living together whose  
32 income is at or below (~~sixty~~) 60 percent of the median income  
33 adjusted for family size as most recently determined by the federal  
34 department of housing and urban development for the county in which  
35 the rental housing or mobile home park is located and in effect as of  
36 January 1st of the year the application for exemption is submitted;  
37 and

38 (f) "Nonprofit entity" means a:

39 (i) Nonprofit as defined in RCW 84.36.800 that is exempt from  
40 income tax under section 501(c) of the federal internal revenue code;

1           (ii) Limited partnership where a nonprofit as defined in RCW  
2 84.36.800 that is exempt from income tax under section 501(c) of the  
3 federal internal revenue code, a public corporation established under  
4 RCW 35.21.660, 35.21.670, or 35.21.730, a housing authority created  
5 under RCW 35.82.030 or 35.82.300, or a housing authority meeting the  
6 definition in RCW 35.82.210(2)(a) is a general partner;

7           (iii) Limited liability company where a nonprofit as defined in  
8 RCW 84.36.800 that is exempt from income tax under section 501(c) of  
9 the federal internal revenue code, a public corporation established  
10 under RCW 35.21.660, 35.21.670, or 35.21.730, a housing authority  
11 established under RCW 35.82.030 or 35.82.300, or a housing authority  
12 meeting the definition in RCW 35.82.210(2)(a) is a managing member;  
13 or

14           (iv) Mobile home park cooperative or a manufactured housing  
15 cooperative, as defined in RCW 59.20.030.

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