
SENATE BILL 5731

State of Washington

69th Legislature

2025 Regular Session

By Senators Goehner, Fortunato, Holy, Boehnke, Christian, Cortes, and Dozier

Read first time 02/11/25. Referred to Committee on Housing.

1 AN ACT Relating to creating a tenant assistance program; amending
2 RCW 36.22.250; adding new sections to chapter 43.31 RCW; and adding a
3 new section to chapter 44.28 RCW; creating a new section; and
4 providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that a
7 significant number of Washington residents are currently rent-
8 burdened, spending a disproportionate amount of their income on
9 housing expenses. High rents have become a substantial burden for too
10 many Washingtonians, limiting their ability to access safe and
11 affordable housing. This situation creates economic instability and
12 negatively impacts the overall well-being of individuals and families
13 across the state. This strain contributes to financial insecurity,
14 making it challenging for individuals and families of all shapes and
15 sizes to meet other essential needs, such as health care, education,
16 and savings for the future. This phenomenon exacerbates existing
17 inequalities and hinders economic mobility for a significant portion
18 of the population.

19 (2) The legislature has taken significant steps to address the
20 affordable housing crisis, including investing in housing
21 development, expanding rental assistance programs, and enacting

1 tenant protections. However, these efforts will take time to bear
2 fruit, and many households continue to face immediate financial
3 hardship due to high rental costs.

4 (3) Therefore, the legislature intends to address the issue of
5 housing affordability by establishing a tenant assistance program.
6 This program aims to reduce the number of people who are rent-
7 burdened by providing financial assistance to eligible individuals
8 and families. This program seeks to create a more equitable and
9 accessible housing market, fostering stability and opportunity for
10 Washington residents. By implementing this program, the legislature
11 aims to alleviate the economic strain caused by high rents, promote
12 housing security, and enhance the overall quality of life for
13 residents of the state.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.31
15 RCW to read as follows:

16 (1) The tenant assistance program is created as a grant program
17 administered by the department of commerce. The department may adopt
18 any rules necessary to administer the program.

19 (2) As part of the tenant assistance program, the department of
20 commerce shall provide grants to public housing authorities created
21 under chapter 35.82 RCW for the purpose of providing tenant
22 assistance payments for eligible renters as described in this
23 section.

24 (3) To be eligible for tenant assistance payments, a renter must
25 meet all of the following criteria:

26 (a) The renter must have a household income at or below 80
27 percent of the median household income adjusted for household size,
28 for the county where the household is located, as reported by the
29 United States department of housing and urban development;

30 (b) The renter must spend more than 30 percent of the renter's
31 monthly household income on monthly housing costs, including rent,
32 fees, and utilities; and

33 (c) The renter would not have to spend more than 30 percent of
34 their monthly household income on monthly housing costs, including
35 rent, fees, and utilities, if the renter's monthly rent payment was
36 reduced by \$400 or less.

37 (4) A public housing authority must prioritize providing tenant
38 assistance payments for eligible renters who meet any of the
39 following criteria:

1 (a) The eligible renter has a household income at or below 60
2 percent of the median household income adjusted for household size,
3 for the county where the household is located, as reported by the
4 United States department of housing and urban development; or

5 (b) The eligible renter receives supplemental security income.

6 (5) A tenant assistance payment may not exceed the lesser of \$400
7 or the amount necessary to reduce an eligible renter's monthly
8 housing costs, including rent, fees, and utilities, to no more than
9 30 percent of the eligible renter's monthly household income.

10 (6) Only one eligible renter per household may receive tenant
11 assistance payments.

12 (7) An eligible renter may receive tenant assistance payments for
13 up to 12 consecutive months.

14 (8)(a) A renter seeking a tenant assistance payment under this
15 section must submit monthly documentation of the renter's income,
16 rent, utilities, and any other records necessary to determine program
17 eligibility to the appropriate public housing authority.

18 (b) A renter who provides false documentation under this
19 subsection must repay any tenant assistance payments received and is
20 no longer eligible for participation in the tenant assistance
21 program.

22 (9) A landlord may not discriminate against renters receiving
23 tenant assistance payments under this section.

24 (10) By July 30, 2026, and annually thereafter, and in compliance
25 with RCW 43.01.036, the department of commerce shall submit a report
26 to the appropriate committees of the legislature on the tenant
27 assistance program that includes information on the total number of
28 renter households served by the program, the total dollar amount of
29 rental assistance distributed to renters as tenant assistance
30 payments, the average number of months that a renter household
31 receives tenant assistance payments, and any recommendations for
32 changes to the program. The department of commerce must also post a
33 copy of the report to the department's website.

34 (11) For the purposes of this section, "renter" means any person
35 who rents a dwelling unit under a rental agreement subject to chapter
36 59.18 RCW or a manufactured/mobile home lot under a rental agreement
37 subject to chapter 59.20 RCW.

38 (12) This section expires June 30, 2032.

1 **Sec. 3.** RCW 36.22.250 and 2023 c 277 s 1 are each amended to
2 read as follows:

3 (1) A surcharge of \$183 per instrument shall be charged by the
4 county auditor for each document recorded, which will be in addition
5 to any other charge authorized by law. The following are exempt from
6 this surcharge:

7 (a) Assignments or substitutions of previously recorded deeds of
8 trust;

9 (b) Documents recording a birth, marriage, divorce, or death;

10 (c) Any recorded documents otherwise exempted from a recording
11 fee or additional surcharges under state law;

12 (d) Marriage licenses issued by the county auditor; and

13 (e) Documents recording a federal, state, county, city, or water-
14 sewer district, or wage lien or satisfaction of lien.

15 (2) Funds collected pursuant to this section must be distributed
16 and used as follows:

17 (a) One percent of the total funds collected shall be retained by
18 the county auditor for its fee collection activities;

19 (b) 30 percent of the total funds collected shall be retained by
20 the county and used by the county as provided in subsection (3) of
21 this section;

22 (c) 54.1 percent of the total funds collected shall be
23 transmitted to the state treasurer to be deposited in the home
24 security fund account created in RCW 43.185C.060 and shall be used by
25 the department of commerce as provided in subsection (4) of this
26 section. From July 1, 2025, through June 30, 2032, the amount of
27 total funds collected to be deposited in the home security fund
28 account shall be reduced to 39.1 percent;

29 (d) From July 1, 2025, through June 30, 2032, 20 percent of the
30 total funds collected shall be transmitted to the state treasurer to
31 be deposited in the tenant assistance program account created in
32 section 4 of this act;

33 ~~((d))~~ (e) 13.1 percent of the total funds collected shall be
34 transmitted to the state treasurer to be deposited in the affordable
35 housing for all account created in RCW 43.185C.190 and shall be used
36 by the department of commerce as provided in subsection (5) of this
37 section. From July 1, 2025, through June 30, 2032, the amount of
38 total funds collected to be deposited in the affordable housing for
39 all account shall be reduced to 8.1 percent;

1 (~~(e)~~) (f) 1.8 percent of the total funds collected shall be
2 transmitted to the state treasurer to be deposited in the landlord
3 mitigation program account created in RCW 43.31.615 and shall be used
4 by the department of commerce as provided in subsection (6) of this
5 section.

6 (3) The county shall use their portion of the collected funds as
7 follows:

8 (a) Up to 10 percent for the county's administration and local
9 distribution of the funds collected from the surcharge in this
10 section, and administrative costs related to the county's homeless
11 housing plan;

12 (b) At least 75 percent will be retained and used by the county
13 to accomplish the purposes of its local homeless housing plan
14 pursuant to chapter 484, Laws of 2005. For each city in the county
15 that elects as authorized in RCW 43.185C.080 to operate its own local
16 homeless housing program, a percentage of the surcharge assessed
17 under this subsection equal to the percentage of the city's local
18 portion of the real estate excise tax collected by the county shall
19 be transmitted at least quarterly to the city treasurer, without any
20 deduction for county administrative costs, for use by the city for
21 program costs which directly contribute to the goals of the city's
22 local homeless housing plan; of the funds received by the city, it
23 may use up to 10 percent for administrative costs for its homeless
24 housing program;

25 (c) At least 15 percent will be retained and used by the county
26 for eligible housing activities, as described in this subsection,
27 that serve extremely low and very low-income households in the county
28 and the cities within a county according to an interlocal agreement
29 between the county and the cities within the county consistent with
30 countywide and local housing needs and policies. A priority must be
31 given to eligible housing activities that serve extremely low-income
32 households with incomes at or below 30 percent of the area median
33 income. Eligible housing activities to be funded are limited to:

34 (i) Acquisition, construction, or rehabilitation of housing
35 projects or units within housing projects that are affordable to very
36 low-income households with incomes at or below 50 percent of the area
37 median income, including units for homeownership, rental units,
38 seasonal and permanent farmworker housing units, units reserved for
39 victims of human trafficking and their families, and single room
40 occupancy units;

1 (ii) Supporting building operation and maintenance costs of
2 housing projects or units within housing projects eligible to receive
3 housing trust funds, that are affordable to very low-income
4 households with incomes at or below 50 percent of the area median
5 income, and that require a supplement to rent income to cover ongoing
6 operating expenses;

7 (iii) Rental assistance vouchers for housing units that are
8 affordable to very low-income households with incomes at or below 50
9 percent of the area median income, including rental housing vouchers
10 for victims of human trafficking and their families, to be
11 administered by a local public housing authority or other local
12 organization that has an existing rental assistance voucher program,
13 consistent with or similar to the United States department of housing
14 and urban development's section 8 rental assistance voucher program
15 standards; and

16 (iv) Operating costs for emergency shelters and licensed
17 overnight youth shelters.

18 (4) The department of commerce shall use the funds from the
19 document recording fee or other fund sources deposited in the home
20 security fund account as follows, except that the department of
21 commerce shall provide counties with the right of first refusal to
22 receive grant funds distributed under (b) of this subsection (4). If
23 a county refuses the funds or does not respond within a time frame
24 established by the department, the department shall make good faith
25 efforts to identify one or more suitable alternative grantees
26 operating within that county. The alternative grantee shall
27 distribute the funds in a manner that is in compliance with this
28 chapter. Funding provided through the office of homeless youth
29 prevention and protection programs created in RCW 43.330.705 is
30 exempt from the county first refusal requirement.

31 (a) Up to 10 percent for administration of the programs
32 established in chapter 43.185C RCW and in conformance with this
33 subsection (4), including the costs of creating and implementing
34 strategic plans, collecting and evaluating data, measuring and
35 reporting performance, providing technical assistance to local
36 governments, providing training to entities delivering services, and
37 developing and maintaining stakeholder relationships;

38 (b) At least 90 percent for homelessness assistance grant
39 programs administered by the department, including but not limited
40 to: Temporary rental assistance; eviction prevention rental

1 assistance per RCW 43.185C.185; emergency shelter and transitional
2 housing operations and maintenance; outreach; diversion; HOPE and
3 crisis residential centers; young adult housing; homeless services
4 and case management for adult, family, youth, and young adult
5 homeless populations and those at risk of homelessness; project-based
6 vouchers for nonprofit housing providers or public housing
7 authorities; tenant-based rent assistance; housing services; rapid
8 rehousing; emergency housing; acquisition; operations; maintenance;
9 and service costs for permanent supportive housing as defined in RCW
10 36.70A.030 for individuals with disabilities. Grantees may also use
11 these funds in partnership with permanent supportive housing programs
12 administered by the office of apple health and homes created in RCW
13 43.330.181. Priority for use must be given to purposes intended to
14 house persons who are chronically homeless or to maintain housing for
15 individuals with disabilities and prior experiences of homelessness,
16 including families with children.

17 (5) The department of commerce shall use the funds from the
18 document recording fee or other fund sources deposited in the
19 affordable housing for all account as follows:

20 (a) Up to 10 percent for program administration and technical
21 assistance necessary for the delivery programs and activities under
22 this subsection (5);

23 (b) At least 90 percent for the following:

24 (i) Grants for building operation and maintenance costs of
25 housing projects, or units within housing projects, that are in the
26 state's housing trust fund portfolio, are affordable to extremely
27 low-income households with incomes at or below 30 percent of the area
28 median income, and require a supplement to rent income to cover
29 ongoing operating expenses;

30 (ii) Grants to support the building operations, maintenance, and
31 supportive service costs for permanent supportive housing projects,
32 or units within housing projects, that have received or will receive
33 funding from the housing trust fund or other public capital funding
34 programs. The supported projects or units must be dedicated as
35 permanent supportive housing as defined in RCW 36.70A.030, be
36 occupied by extremely low-income households with incomes at or below
37 30 percent of the area median income, and require a supplement to
38 rent income to cover ongoing property operations, maintenance, and
39 supportive services expenses.

1 (6) The department of commerce shall use the funds from the
2 document recording fee or other fund sources deposited in the
3 landlord mitigation program account to administer the landlord
4 mitigation program as established in RCW 43.31.605. The department of
5 commerce may use up to 10 percent of these funds for program
6 administration and the development and maintenance of a database
7 necessary to administer the program.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.31
9 RCW to read as follows:

10 (1) The tenant assistance program account is created in the state
11 treasury. Moneys in the account may only be spent after
12 appropriation. Expenditures from the account may only be used to
13 provide grants to public housing authorities for the purpose of
14 providing tenant assistance payments for eligible renters under
15 section 2 of this act.

16 (2) This section expires December 31, 2032.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 44.28
18 RCW to read as follows:

19 The joint committee must review the efficacy of the tenant
20 assistance program established by this act and its impacts on housing
21 stability for those served by the program and report its findings to
22 the appropriate committees of the legislature by December 1, 2031.
23 The review must include a recommendation on whether this program
24 should be continued without change or should be amended or repealed.

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