

Hello Community Partners,

There are a number of new Housing Laws that passed in the Washington State legislature earlier this year and went into effect yesterday!

These new laws are huge wins in the world of fair housing and I am excited to be sharing this information with you all.

The following bills apply to ALL residential rental properties in the state of Washington and became effective June 11, 2020.

Senate Bill 5165 - Concerning discrimination based on citizenship or immigration status.

- Adds citizenship / immigration status to the protected classes in Washington state.
- Prevents housing provider from requiring a social security number to complete rental housing applications.
- An application may be submitted without a social security number, but the result may be denial or increased requirements for acceptance.

House Bill 2535 - Providing for a grace period before late fees may be imposed for past due rent.

- Prevents the assessment of late fees until 5 days following the due date.
 - Late fees cannot be assessed if rent is paid within 5 days following the due date.
- If rent remains unpaid 5 days following the due date, late fees can be assessed beginning the date rent becomes late.
- Permits a renter receiving government assistance, which they rely on to pay rent, and received after rent becomes due and late, to delay the rental payment due date to no later than the 6th of the month.
- The request must be in writing and the renter must demonstrate they receive government assistance that is not received until after the rent becomes due.
- Individuals who receive government assistance as their primary source of income on the 3rd of the month:
 - Filed for benefits prior to May 1, 1997,
 - Receive Supplemental Security Income, or
 - Have Medicare premiums paid by the state.

House Bill 1694 - Allowing tenants to pay certain sums in installments.

- Permits applicants to pay “move-in costs” in up to 3 equal monthly installments when the move-in costs exceed 25 percent of the first full month’s rent.
- “Move-in costs” include
 - All one-time non-refundable fees paid at the initiation of the tenancy, including the application fee (screening fee),
 - All deposits (standard, and pet) paid at the initiation of the tenancy, and/or
 - Any last month’s rent charged at the initiation of the tenancy.
- “Move-in costs” does not include any rent, or pro-rated rent.
- Any lease agreement exceeding 3 months requires three consecutive and equal monthly installments, due with the rent, beginning at the inception of the tenancy.
- Any lease less than 3 months, requires two consecutive and equal monthly installments, due with the rent, beginning at the inception of the tenancy.

- The request for an installment payment must be in writing and any installment payment schedule must be in writing.
- Failure to comply with an installment payment plan by the renter requires service of a 14-day notice.
- Permits access to the Landlord Mitigation Fund, upon judgment and a finding by the court that the renter is low-income, limited resourced or experiencing hardship for reimbursement of the amount of the installment payment agreement.
- The holding fee / holding deposit cannot exceed 25 percent of the first month's rent.
- The holding fee / holding deposit can be applied to the deposit or to the first month's rent and must include a receipt identifying the terms and conditions upon which the housing provider may keep the fee / deposit.

Senate Bill 6378 - **Concerning residential tenant protections.**

(Under [Washington's Eviction Moratorium](#), housing providers are currently prohibited from serving a 14-day notice.)

- Permits a housing provider to refuse to accept cash. If cash is accepted, the housing provider must provide a receipt, and the housing provider must provide receipt upon the request of the renter.
- Amends the [14-day Notice to Pay or Vacate](#) by cleaning-up and clarify language and adds additional resources for the tenant.
- Adds place for date, and tenant's name and address,
- Modifies method of payment language, and
- Adds contact information for tenants to obtain information and assistance.

[\(LINK\) – the city of Seattle requires additional language in the 14-day notice.](#)

- Amends the Summons to clean-up and clarify language and adds additional resources for the tenant.
- Prevents a housing provider from threatening eviction for non-rent charges owing (non-recurring and one-time charges including late fees, damages, attorney fees and costs).
- Clarifies that attorney fees can be awarded after the tenant appears in the unlawful detainer case but fails to personally appear at the show cause hearing.
- Attorney fees can be awarded when:
 - The judgment exceeds the greater of two month's rent or \$1,200, or
 - The tenant is reinstated.
 - Court costs can always be awarded.

[\(LINK\) – the city of Seattle further limits attorney fees and costs during and within the six months after the State of Civil Emergency ends in all nonpayment of rent evictions.](#)

- Requires acceptance of a community pledge *prior to* the expiration of a 14-day notice where the pledge pays the full amount of the rent owing in the notice.
- Requires acceptance of a community pledge *after* the expiration of a 14-day notice, together with any other money pays, full:
 - The past due rent owing,
 - Any current rent owing,
 - Other costs, including late fees that do not exceed \$75,
 - Attorney fees and costs subject to the law

Requires the housing provider to suspend court action for 7 court days following acceptance of the pledge to allow for payment.

If you have any questions, please let me know!

Respectfully,
Angela

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