

SENATE BILL REPORT

SB 5559

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 28, 1991

Brief Description: Declaring landlord-tenant duties as being state-wide.

SPONSORS: Senators Nelson, Madsen, Matson, Thorsness and Rasmussen.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5559 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Erwin, Madsen, Newhouse, and Rasmussen.

Staff: Ben Barnes (786-7465)

Hearing Dates: February 22, 1991; February 28, 1991

BACKGROUND:

In 1981 the Legislature enacted legislation prohibiting cities and counties from imposing rent control on residences. The legislation exempted properties under joint public-private ownership, public management, or under joint public-private agreements for the financing or provision of low-income housing. The Legislature also specifically exempted floating homes from the coverage of this law. With these exceptions, local governments are preempted from enacting local rent control ordinances.

Some local jurisdictions have enacted ordinances that affect the landlord-tenant relationship. The city of Seattle has adopted a "just cause" eviction ordinance which prohibits a landlord from evicting a tenant without having a reason. The city of Bellevue adopted an ordinance that prohibits discrimination in renting based upon whether a tenant is on public assistance.

It is suggested that local jurisdictions should not have the authority to adopt ordinances that affect the residential landlord-tenant relationship.

SUMMARY:

The Residential Landlord-Tenant Act is declared to cover all landlord-tenant duties, and local governments are prohibited from making laws to change these duties.

EFFECT OF PROPOSED SUBSTITUTE:

Local landlord-tenant ordinances that are inconsistent with state law are preempted and repealed.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

The bill would establish uniformity in landlord-tenant duties throughout the state.

TESTIMONY AGAINST:

The bill would eliminate important tenant protections and prohibit local municipalities from enacting ordinances for the protection of the general public.

TESTIFIED: Nancy Wray, Tenant Landlord Coalition (pro); Ovid Thompson, Seattle Department of Construction and Land Use (con); Toinette Benton (pro); Doug Neyhart (pro); Richard Gamble, The Tenants Union (con); Ray Burhen, Washington Mobile Park Owners Association (pro); Jeannette Burrage, Northwest Legal Foundation (pro)