

Weekly Legislative Update: **Housing and Homelessness**

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As Susan noted in the preface to this edition of the Legislative newsletter, some people say that this past week - the fifth - of the Legislative session is the most intense. That is because committees have been squeezing in as many public hearings as possible in order to have executive sessions in the week ahead. The cut-off deadline for policy bills in committee of the house of origin is next Friday, February 17. As a result, there are no sign-in actions needed in the week ahead. We will be watching to see how the committees vote on the bills we've been tracking.

Of the bills we've been tracking, five have passed their house of origin and moved to the opposite chamber (all from the House to the Senate). One has an action needed this week. Twenty-one bills have moved to the fiscal committee or Rules. Very few remain with little to no action.

Bills Needing Action This Week

Note that there are also several housing-related bills that are described in the Growth Management weekly update [here](#).

HB 1167 Concerning residential housing regulations. This bill requires the Department of Commerce to develop and administer a grant program to assist counties and cities adopt preapproved middle housing plans, directs the State Building Code Council to convene a work group to recommend needed changes to apply the International Residential Code to multiplex housing, and prohibits a city or county from imposing any regulations, reviews, or standards on multiplex housing that is not applied to detached single family residences, except when necessary for fire and life safety. This bill passed the House Housing Committee as a substitute on February 2 and **was referred to the House Appropriations Committee. It is scheduled for public hearing in that committee on February 15.**

Bills that Passed the House of Origin

HB 1042 Concerning the use of existing buildings for residential purposes, would prohibit cities from imposing certain restrictions or requirements on new housing units constructed within an existing building that is located in a zone that permits multifamily housing. These include density, parking and other. **This bill passed the House as a substitute, 96-0, on February 8 and will go to the Senate for consideration.**

[HB 1046](#) Expanding housing supply by supporting the ability of public housing authorities to finance affordable housing developments by re-benchmarking area median income limits. This increases the area median income limits on a public housing authority financed, low-income housing development to 80 percent, making affordable housing accessible to a larger population that in spite of higher income levels is challenged to find housing they can afford. This bill **passed the House** and had a public hearing this week in the Senate Housing Committee. It also had an **executive session in that committee on February 10, though the outcome was not available as of this writing.**

[HB 1054](#) Addressing the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons, would prohibit an association of unit owners in a common interest community from regulating or limiting the number of unrelated persons that may occupy a unit. **This bill passed the House on February 6, 67 to 26 and has been referred to the Law & Justice Committee of the Senate.**

[HB 1070](#) Exempting the sale and leaseback of property by a seller from the residential landlord-tenant act when the seller agrees to a written lease at closing. This would allow the buyer to allow the seller to remain living in the home for up to six months if there is a written agreement between the buyer and seller. This bill **passed the House** and was referred to the **Senate Housing Committee, where it had a public hearing on February 1 and executive session on February 10, though the outcome of the executive session is not known as of this writing.**

[HB 1367](#) Eliminating unnecessary homeless funding budget and auditing requirements. This bill **passed the House, 97-0** on February 9 and has been scheduled for **public hearing in the Senate Housing Committee on February 17.**

Updates – Bills that are Moving

In Rules Committee

[HB 1074](#) Addressing documentation and processes governing landlords' claims for damage to residential premises, increases tenant protection from landlord abuse of damage deposits and claims. It would require a landlord to substantiate the cost of any damages withheld from a tenant deposit with repair estimates, invoices, or other documentation; prohibit a landlord from withholding any portion of a tenant deposit for certain items; and establish a one-year statute of limitations for a landlord to take any action against a tenant to recover sums exceeding the amount of the damage deposit. It would also provide the landlord with additional time to provide such documentation. This bill passed as a substitute bill from the House Housing Committee on January 26 and is now **in the House Rules Committee.**

[HB 1124](#) Protecting tenants from excessive rent and related fees by providing at least six months' notice for rent increases over a certain amount. This bill would require between 180-

and 220-days' notice of rent increases that exceed five percent. It would address recent egregious rent increases that have forced people to move because they could not afford the increase and give tenants subject to such increases more time to plan and organize their necessary responses. This bill passed the House Housing Committee as a substitute on January 26 and has been **referred to the House Rules Committee**.

[HB 1252](#) Concerning impact fee deferrals. This bill amends the chapter of RCW that authorizes impact fees and allows deferrals of fee payments for single family residential development to allow an agreement with the developer to specify when the fee will be paid and specifies conditions that must be met in the agreement. **This bill passed the House Housing Committee on February 7 and is now in the House Rules Committee.**

[HB 1293](#) Streamlining development regulations. This bill is intended to support infill development of housing units by exempting certain infill projects from environmental review processes, provided that the jurisdiction has done an EIS and that the development is in an area zoned for residential development. **This bill passed the House Housing Committee as a substitute on February 7 and is now in the House Rules Committee.**

[HB 1337](#) Expanding housing options by easing barriers to the construction and use of accessory dwelling units, would require fully planning cities and counties to allow accessory dwelling units (ADUs) in urban growth areas (UGAs) and prohibit certain ADU regulations within UGAs. **This bill was passed the House Housing Committee on February 2 and is now in the House Rules Committee.**

[HB 1349](#) Concerning foreclosure protections. This bill would extend the notification periods required for foreclosure, thereby providing tenants with additional protection. **This bill passed the House Housing Committee on February 2 and is now in the House Rules Committee.**

[HB 1401](#) Allowing cities and counties to create a simple, standardized housing permit process for affordable housing units in areas designated for housing. This bill amends the Growth Management Act to allow all cities and counties to adopt development regulations that create a simple, low cost, expedited permit process for development of single-family, duplex, triplex, or accessory dwelling housing units with less than 1,801 square feet per unit and requires those jurisdictions who do this to report on units built. Note: this bill is also covered on the web page and in the weekly update for Growth Management. **This bill passed out of the House Housing Committee on February 2 and is now in the House Rules Committee.**

[HB 1507](#) Concerning fair housing training for officers or board members in common interest communities, would amend the RCW related to condominiums to require that officers or board members of condo associations complete a training course regarding federal and state fair housing laws. **This bill passed the House Housing Committee on February 9 and is now in the House Rules Committee.**

[SB 5197](#) Addressing landlord-tenant relations by providing technical changes to eviction notice forms and modifying certain eviction processes. This bill would add to tenant protection in eviction proceedings. **This bill passed the Senate Housing Committee on February 8 and is now in the Senate Rules Committee.**

In Fiscal Committee

[HB 1111](#) Concerning housing benefit districts. This bill provides local governments with more options to increase residential capacity, especially in urban areas, by authorizing cities to establish housing benefit districts. These districts would be governed by a board and would be allowed to acquire, through land banking, predevelopment contracting, selling, improving, funding, and leasing, land for the development of affordable housing for low-income and moderate-income households within an area a half-mile or less from a major transit stop and is zoned for average minimum density of 15 dwelling units per acre or more. **This bill passed the House Housing Committee as a substitute on February 7 and was referred to the Capital Budget Committee on February 10.**

[SB 5060](#) Requiring the registration of rental and vacant housing units, would require landlords to register their rental units with Department of Commerce, thereby providing a method of tracking and reporting rental rates across the state. **This bill passed the House Housing Committee on February 8 and has been referred to the Ways & Means Committee.**

[SB 5202](#)/[HB 1149](#) Reducing homelessness in Washington state through capital expenditures for programs that address housing insecurity. **SB 5202** was moved out of the Senate Housing Committee as a substitute on February 1 and has been **referred to the Senate Ways & Means Committee.** However, **HB 1149** has not been scheduled for executive session following its public hearing in the House Capital Budget Committee.

[SB 5279](#) Expanding a sales and use tax deferral program for affordable housing to include structures initially used as temporary employee housing for employees constructing warehouses, distribution centers, and other large facilities. The League will watch this bill. Tax benefits are typically used to encourage certain policies for statewide benefit. It is not clear that the benefit of this proposal outweighs the tax obligation. This bill was moved from the Senate Housing Committee and has been **referred to the Senate Ways & Means Committee.**

[SB 5301](#) Concerning housing programs administered by the department of commerce, would authorize the Housing Trust Fund administered by the Department of Commerce to support low-income residents in new ways. This bill was moved as a substitute with a Do Pass recommendation from the Senate Housing Committee and referred to the **Senate Ways & Means Committee, where it had a public hearing on February 9. It has not been scheduled for executive session yet.**

[SB 5334](#) Providing a local government option for the funding of essential affordable housing programs, would authorize local governments to establish an excise tax on the sale of or charge made for the furnishing of lodging of short-term rentals facilitated through a short-term rental platform (e.g., Air bnb). The revenue from this tax must be used exclusively for the operating and capital costs of affordable housing programs including, but not limited to, homeless housing assistance, temporary shelters, and other related services. **This bill passed out of the Senate Local Government, Land Use & Tribal Affairs Committee on February 9 and was referred to Ways & Means.**

[SB 5506](#) Establishing an enhanced behavior support homes model would establish a permanent supportive housing program to provide services and support to serve individuals needing behavioral health services to live independently in a community setting rather than in an institution. **This bill passed the Senate Human Services Committee on February 7 and has been referred to the Ways & Means Committee.**

Scheduled for Executive Session This Week

[HB 1129](#) Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. This bill would add protection for manufactured/mobile homeowners when the land they rent is sold and they are vulnerable to having to move. This bill had a public hearing in the House Housing Committee on January 16 and is **scheduled for executive session on February 13.**

[HB 1596](#) Providing local governments with options to increase affordable housing in their communities. Scheduled for public hearing in the House Local Government Committee at 8:00 am on Wednesday, February 8. **This bill is scheduled for executive session on February 17.**

[SB 5045](#) Incentivizing rental of accessory dwelling units to low-income households, was moved as a substitute bill out of the Senate Housing Committee and has been referred to the Senate Ways & Means Committee. **It had a public hearing on February 6 and is scheduled for executive session on February 16.**

[SB 5198](#) Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit, **had a public hearing in the Senate Housing Committee on January 18 and is scheduled for executive session on February 15.**

[SB 5496](#) Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state. This is a companion bill to HB 1474, above. It is scheduled for public hearing in the Senate Housing Committee on February 8. **This bill is scheduled for executive session on February 15.**

[SB 5674](#) Defining affordable housing for purposes of using surplus public property for public benefit. This bill had a public hearing in the Senate Housing Committee on February 8. It is scheduled for executive session on February 15.

Pending Executive Session

[HB 1388](#) Protecting tenants by prohibiting predatory residential rent practices and by applying the consumer protection act to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act. This bill had a public hearing in the House Housing Committee and had an executive session on February 9 but the action taken is not known as of this writing.

[HB 1389](#) Concerning residential rent increases under the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act. This bill had a public hearing in the House Housing Committee and had an executive session on February 9 but the action taken is not known as of this writing.

[HB 1474](#) Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state. This bill had a public hearing in the House Housing Committee on February 6 and executive session on February 9, but the action taken was not known as of the time of this writing.

[HB 1628](#) Increasing the supply of affordable housing by modifying the state and local real estate excise tax. This bill would apply a Real Estate Excise Tax on homes sold for more than \$5 million. The tax would be on the amount greater than \$5 million and the tax would be 4%. Proceeds would be used for a new Development Disabilities Trust Account to provide housing support for individuals with developmental disabilities. This bill had a public hearing on February 8 and an executive session on February 10 but the action taken was not known as of this writing.

[HB 1611](#) Concerning local government permitting. This bill modifies the Growth Management Act to mandate a review of permitting processes by March 2024 in most jurisdictions to assure that deadlines for various steps in permitting specified in the bill will be met. Note: this bill is covered on the web page and in the weekly update for Growth Management. **It had a public hearing in the House Housing Committee and is scheduled for executive session on February 7.**

[SB 5435](#) Concerning residential rent increases under the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act. This bill had a public hearing on January 27 and executive session on February 10 but the action taken in executive session was not known as of this writing.

[HB 1517](#) Promoting transit-oriented development. This bill had a **public hearing on February 7** but has not been scheduled yet for executive session.

Updates - Bills with No Change

[HB 1343](#) Providing local governments with options to grant rent relief and preserve affordable housing in their communities. This bill would give local jurisdictions the authority to establish property tax incentives for low-income household rental housing that meets certain criteria. It had a public hearing on January 31 in the House Housing Committee and was **scheduled for executive session on February 9, but no action was taken.**

[SB 5118](#) Concerning modifying the multifamily property tax exemption to promote development of long-term affordable housing. This bill would create a new 99-year property tax exemption for properties that commit to renting or selling at least 35 percent of the multifamily housing square footage as affordable housing to low- and moderate-income households. This bill had a public hearing in the House Housing Committee on January 13 but **has not yet been scheduled for executive session.**

[SB 5413](#) Concerning housing for essential needs and aged, blind, and disabled assistance programs, assures one year of rent for eligible individuals who transfer from one area of the state to another and would be at risk of losing this benefit. This bill had a public hearing on January 25 in the Senate Human Services Committee but **no action was taken in the executive session on February 2.**

[SB 5637](#) Providing for graduated rental rate agreements under the transitional housing operating and rent program. This bill is scheduled for public hearing in the Senate Housing Committee on Wednesday, February 8. **No executive session has been scheduled.**

[HB 1350](#) Expanding the multifamily tax exemption program to include converting existing multifamily units. This bill would authorize jurisdictions to include 12-year tax exemptions for renovations of multifamily units within cities located in a county with a population greater than 300,000 in areas that have designated a low-income conversion target area, for an existing multiple unit property that is converting existing units to affordable housing. It had a public hearing on January 31 in the House Housing Committee **but has not been scheduled for executive session.**

[SB 5386](#) Reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees. This bill had a public hearing on January 27 and **executive action was taken in the Senate Housing Committee** on February 10 but the action was not recorded as of this writing.

How You Can Be Involved

- Respond to Action Alerts in the legislative newsletter. These will primarily appear in the section of the newsletter related to housing and homelessness.
- Join the League's Housing Affinity Group by contacting Cynthia Stewart, cstewart@lwwa.org.
- Work with your local jurisdiction to assure that comprehensive planning will address the housing needs of your community. Contact your city or county planning department to obtain a comp plan development schedule and opportunities for engagement.