

## Weekly Legislative Update: **Housing and Homelessness**

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Thank you to readers who signed in PRO for bills last week. There are no Actions for this week in the housing category. The following is a status report on bills as of the end of Friday, March 24.

#### **Bills that have passed both Houses**

**SB 5198 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 home-owners when the land they rent is sold and they are vulnerable to having to move. It passed the Senate as a second substitute with a vote of 31-17 and passed the House on March 23 with a vote of 95 to 3.

**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 on January 25 with a vote of 96-0. It passed the Senate on March 22 with a vote of 49-0.

#### **Other 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 has had a public hearing in the Senate Housing Committee on February 17 and was passed out of committee as a substitute in executive session on March 22.

**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 passed the Senate Housing Committee on February 10. It is now in the Senate Rules Committee.

**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, where it had a public hearing on March 9 and was passed as a substitute bill in executive session on March 22.

**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 with a vote of 57-40 and had a public hearing in the Senate Housing Committee on March 15 and passed that committee in executive session on March 22.

**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 on March 4 with a vote of 95-0 and was referred to the Senate Local Government, Land Use & Tribal Affairs Committee, where it is had a public hearing and was passed out of committee and referred to the Senate Ways & Means Committee, where it had a public hearing on March 23. It has not been scheduled for executive session as of this writing.

**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 with a vote of 94-3 and has been to the Senate Local Government, Land Use & Tribal Affairs Committee. It had a public hearing in the Senate Local Government, Land Use & Tribal Affairs Committee on March 21 and was passed out of the committee as a substitute in executive session on March 23.

**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 with a vote of 81-15 and has been assigned to the Senate Local Government, Land Use & Tribal Affairs Committee. It had a public hearing on March 16 and is scheduled for executive session on March 28.

**[HB 1349](#) Concerning foreclosure protections.** This bill would extend the notification periods required for foreclosure, thereby providing tenants with additional protection. It passed the House with a vote of 97-0 and had a public hearing in the Senate Housing Committee on March 10 and was passed from committee as a substitute on March 22.

**[HB 1367](#) Eliminating unnecessary homeless funding budget and auditing requirements.** This bill passed the House, 97-0 on February 9 and had a public hearing in the Senate Housing Committee on February 17 and was passed out of committee as a substitute in executive session on March 22.

**[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 passed the House with a vote of 53-43. It had a public hearing in the Senate Housing Committee on March 17 and passed out of committee as a substitute at executive session on March 22. Its companion bill, SB 5496, has died in the Senate.

**[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 with a vote of 87-10 and has been referred to the Senate Law & Justice Committee but has not been scheduled for public hearing.

**[HB 1695](#) Defining affordable housing for purposes of using surplus public property for public benefit.** HB 1695 passed the House on February 28 with a vote of 97-0. It had a public hearing in the Senate Housing Committee and was passed out of that committee and forwarded to the Senate Rules Committee in executive session on March 22.

**[SB 5045](#) Incentivizing rental of accessory dwelling units to low-income households,** passed the Senate as a second substitute with a vote of 43-5. It had a public hearing in the House Housing Committee on March 14 and was referred to the House Finance Committee with a do pass recommendation on March 22. It has not been scheduled for public hearing in the Finance Committee as of this writing.

**[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. It passed the Senate with a vote of 28-20. It had a public hearing in the House Housing Committee on March 14 and was referred with a do pass recommendation to House Rules Committee on March 22.

**[SB 5235](#) Concerning accessory dwelling units,** would modify the Growth Management Act to require cities and counties to allow accessory dwelling units (ADUs) in urban growth areas (UGAs) and prohibit certain ADU regulations within UGAs. It would also allow cities and counties to offer incentives for the construction or development of ADUs. This bill passed the

Senate with a vote of 42-6. It had a public hearing in the House Housing Committee and continues to be scheduled executive session on March 27 or 28.

**[SB 5301/HB 1709](#) 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. **SB 5301** was passed as a substitute from the Senate with a vote of 49-0. It has been referred to the House Capital Budget Committee, where it had a public hearing on March 21. The public hearing is also on a proposed striking amendment to replace the bill with HB 1656, which passed the House on March 4 with a vote of 96-0. This bill is scheduled for executive session on March 31. **HB 1709** was passed as a substitute out of the House Capital Budget Committee and is now in the House Rules Committee. It did not pass the House by the cut-off date and has died.

**[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 the Senate on March 6 as a substitute with a 29-20 vote. It had a public hearing on March 21 and is currently scheduled for executive session in the House Local Government Committee on March 28 or 29.

**[SB 5386](#) Reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees**. This bill passed as a substitute from the Senate with a vote of 48-0 and was referred to the House Housing Committee, where it had a public hearing on March 16 and was referred to the House Appropriations Committee in executive session on March 22 but no public hearing has yet been scheduled in that committee.

**[SB 5466](#) Promoting transit-oriented development**. This bill has passed both the Senate as a substitute with a vote of 40-8 and was referred to the House Housing Committee, where it had a public hearing on March 16. It is scheduled for executive session on March 27 or 28.

## Updates—Bills that may still be moving

**[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 is now in the Senate Ways & Means Committee. It had a public hearing in that committee on March 9 but has not been scheduled for executive session to date.

**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 passed the House Local Government Committee on February 10 and is now in the Finance Committee, where it had a public hearing on February 21. No executive session has been scheduled yet but this bill may be considered necessary to implement the budget.

**HB 1129 Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit.** This is a companion bill to SB 5198, which passed both chambers. This bill would add protection for manufactured/mobile home-owners when the land they rent is sold and they are vulnerable to having to move. This bill passed the House Housing Committee as a substitute on February 13 and is now in the House Rules Committee but probably will not proceed to the floor because they passed the Senate version.

**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. It was referred to the Capital Budget Committee, where it had a public hearing on February 22 and may be considered necessary to implement the budget, though it has not yet been scheduled for executive session.

**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 is now in the Senate Ways & Means Committee. Although it did not move out of committee by the cut-off date, it could become a bill labeled “necessary to implement the budget” so may not have died. **HB 1149** has not been scheduled for executive session following its public hearing in the House Capital Budget Committee. This has the same status as its companion bill.

## **Bills that Died**

**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 was referred to the Ways & Means Committee but did not move out of that committee by the cut-off date so has died.

**[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 died because it never had an executive session and moved out of policy committee by the cutoff.

**[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, so the bill has died.

**[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 no action was taken, so the bill has died. Its companion bill, HB 1389, is still active in the House.

**[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 bill passed as a substitute from the Senate Housing Committee was referred to the Senate Ways & Means Committee, but it did not pass out of that committee by the fiscal cut-off so has died. Its companion bill, HB 1474 is still active.

**[SB 5506/HB 1654](#) 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. **SB 5506** passed the Senate Human Services Committee on February 7 and was referred to the Ways & Means Committee, where it had a public hearing; but it did not pass out of the Ways & Means Committee by the cut-off date, so it has died. **HB 1654** never got a public hearing so has died also.

**[SB 5637](#) Providing for graduated rental rate agreements under the transitional housing operating and rent program.** This bill had a public hearing in the Senate Housing Committee on Wednesday, February 8 but never had an executive session, so it has died.

**[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 was moved to the House Rules Committee but died because it was not pulled to the floor for a vote by the cutoff date.

**[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. It passed the House Housing Committee as a substitute on February 13 and was sent to the House Rules Committee but it died because it was not pulled to the floor for a vote by the cutoff date.

**[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 but has died in that committee for this year.

**[HB 1389](#) Concerning residential rent increases under the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act.** This bill passed the House Housing Committee as a substitute from the House Appropriations Committee and was in the House Rules Committee. It died because it was not pulled for a floor vote by the cutoff date. Its companion bill, SB 5435, died in the Senate.

**[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. This bill passed out of the House Housing Committee on February 2 and was in the House Rules Committee but did not get pulled for a floor vote by the cutoff date.

**[HB 1596](#) Providing local governments with options to increase affordable housing in their communities.** This bill passed the House Local Government Committee and the House Finance Committee and is now in the House Rules Committee, where it died for not having moved to the floor by the cutoff date.

**[SB 5674](#) Defining affordable housing for purposes of using surplus public property for public benefit,** companion bill to HB 1695, passed the Senate Housing Committee and was assigned to the Senate Rules Committee but was not pulled to the floor for a vote before the cutoff date so it died.

**[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, so this bill has died.

**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, so it has died.

**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 passed the House Housing Committee as a substitute on February 9 and was referred to the House Appropriations Committee; but since it did not move out of that committee by the cut-off, it has died.

**HB 1517 Promoting transit-oriented development.** This bill had a public hearing on February 7 but was not scheduled yet for executive session, so it has died.

## **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@lwvwa.org](mailto:cstewart@lwvwa.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.