



January 12, 2021

Greetings members of the Senate Housing and Local Government Committee,

Once again the Chair has chosen to take a scorched earth approach to eviction with SB 5160, a bill written by, for, and with eviction defense attorneys.

Nothing in this legislation will help a single mother with two jobs that lost them to Covid-19 shutdowns. Nothing in this legislation will help a person in a mental health crisis. Nothing in this legislation will help a family hit with a huge medical expense. Nothing in this legislation will provide a sustainable income for a person who has lost benefits. Nothing. It will allow them to suffer through all this in a free rental unit.

Except that it really isn't free. In the end, while rent goes unpaid, so do utility payments, property taxes, repairs, maintenance, and in the end, mortgages.

If passed, SB 5160 introduces uncertainty into an already uncertain housing market. As new units come on line, how will housing providers ensure residents don't end up as non-payers protected for months on end by the provisions of this legislation? Many people worried about their futures will see these provisions as an opportunity to direct their cash away from rent they owe and toward other serious needs.

When the emergency is over – and we don't know when that is – what will be left of a housing market with significant debt and slowed production?

During public hearings you'll hear more about the specific damage this legislation will do from housing providers of all kinds and sizes from all over the state.

The right thing for the Committee to do is shelve this bill. Instead, you should engage with the housing community to find ways to prevent eviction. Remember, eviction is a rare and expensive intervention (only 1,215 evictions in the state's largest city in 2016) that no housing provider wants to make.

The entire focus of the Committee now should be holding the Governor accountable for how the State spends \$508 million in rent relief. The money needs to pay rent as soon as possible for families and households suffering from the impacts of Covid-19.

Sincerely,

A handwritten signature in black ink, appearing to read "Maddy" or "Roger", written in a cursive style.

Roger Valdez
Director

January 19, 2021



Senator Patty Kuderer, Chair
Senate Housing & Local Government Committee
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RE: Senate bill 5160 – Tenant Protections

Dear Senator Kuderer and Members of the Housing & Local Government Committee,

I'm writing today to oppose Senate bill 5160 in its current form. I provided testimony in the committee addressing some of our concerns related to the contents of the proposal and provide additional detail here.

Broadly this bill proposal is not directed at COVID relief and the specific recovery necessary to create a gradual off ramp for the year-long plus eviction moratorium. As written this proposal appears to be more of a patchwork of new laws and continues to place the entirety of the burden of this pandemic on to housing providers.

In many ways this proposal puts the cart before the horse. As it stands, with an estimated six percent nonpayment of rent of the more than 1 million rental homes in Washington, there is an outstanding rental debt of more than \$920,000,000. **We must first focus on making sure there is adequate rental assistance available in all communities in Washington and ensure both housing providers and tenants have the resources available to them to communicate and access rental assistance in their community.**

For 11 months, housing providers have offered reasonable solutions to addressing recovery from the pandemic to make sure any eviction is a last resort. In many instances housing providers feel these reasonable solutions were never considered.

Specifically, we raise the following specific concerns related to SB 5160.

Section 1 – Findings. While the findings and intent speak to “expand[ing] upon and preserve some of these protections for tenants within the governor’s eviction moratorium...” the reality is there is very little overlap between the eviction moratorium and equity in the process of ensuring

tenants are supported, while housing providers are capable continuing to provide rental housing with a reasonable return on their investment.



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Post eviction moratorium will be a new reality and provide a new normality, but any legislation must provide gradual off ramp to provide consistent support to those that directly need assistance, instead of blanket policies that directly affect the health and safety of rental residents.

Section 2 – Definitions. The definition of public health emergency is extremely broad and as drafted comprises such national crises as the opioid epidemic and other medical crises facing our country for which housing providers have no ability to address.

Section 3 – Termination of Tenancy. Various research on unlawful detainer actions supports 20-day notices are rarely used and retaliation is unsupported by the facts. This section presupposes that all housing providers are “in the business of evicting tenants” when the opposite is the reality. Eviction is always a last resort for housing providers after all other avenues have been exhausted.

Section 4 – Payment of Rent. The most successful way we will support tenants and housing providers is to provide sufficient rental assistance to all who have been directly affected by COVID and need additional support during this recovery. Separating possession and debt simply kicks the can down the road without any meaningful or measurable solution. In due time, tenants who’ve fallen behind on their rent will simply face garnishment or other collection action to recover the debt owing, placing their future housing security in jeopardy.

Section 5 - Repayment Plans. For 11 months, housing providers have been requesting more direction in reasonable payment plans. The Governor’s moratorium further places the burden of addressing reasonableness in payment plans on the legislature. This proposal creates more problems than it solves. Any legislation must provide the minimum requirements of a reasonable repayment plan, and existing programs and resources must be available and accessible to address hardship with those minimum terms.

Further, 60 percent of evictions end in default, and this law requires the court to determine reasonableness based on information only the tenant has knowledge of and access to prior to entering a judgment for possession.

We support requirements to offer a statutorily defined minimum payment plan during this pandemic and through the recovery period.

Section 6 – Right to Counsel. We are supportive of access to counsel for tenants. However, this proposal provides skeletal details of what and how the program actually works, creating the opportunity for delay in any court proceeding, including behavior that constitutes a significant and immediate threat to other persons or property. Any right to counsel requirements should have a delayed effective date until such program is defined and adequately running.

Practically speaking, prior to passing any legislation, the legislature should be aware of the cost of such program on the State budget prior to enacting the program.

Section 8 – 14-day Notice. The changes proposed assume the Eviction Resolution Program will be available, but the program is not available now in the majority of counties and not all counties have the same need for type of Eviction Resolution Program that is currently in place.

In addition, the law should not make suggestions on actions, but specifically require certain actions on behalf of specific parties.

Section 10 – Rental Assistance Access. This is already the law and is an unnecessary provision. The federal government requires this, as does the Governor's directive in the 6th extension of the moratorium.

Section 11 – Unlawful Detainer Fee. Remove the bifurcation of the unlawful detainer fee in any unlawful detainer proceeding ultimately increases the cost of any unlawful detainer action to tenants. This is not an issue in any way related to the eviction moratorium and recovery from the pandemic.

Section 12 – RCW 59.18.375. This section of the RLTA was negotiated between housing provider advocates and tenant advocates. It has been challenged, but continues to provide an avenue for tenants to assert their due process rights if they meet certain conditions that are explained to them in mandatory court documents.

Section 13 – Late Fees. This section appears to specifically limit late fees to \$75; late fees that are prohibited in a previous section for an undetermined amount of time. The law should create a specific time period when late fees resume, instead of based on a discretionary period of time, unknown to all.

Section 14 – RCW 59.18.410. This language was carefully negotiated and agreed upon language in 2019. As it stands this section and the removal of it, has nothing to do with the eviction moratorium and more to do with animus related to a carefully negotiated agreement. In 2020, housing providers and tenant advocates addressed the unintended consequences of the 2019 legislation in a cooperative manner and there is no additional reason to revisit this section of the RLTA.

Section 16 – Record Sealing. Put bluntly this section directly contradicts the Washington Constitution's requirements of open and public access to the court system and its records. The Supreme Court of Washington has weighed in on the sealing of court records and overturned efforts to conceal eviction court records.

Orders for Limited Dissemination are an imperfect but useful mechanism to protect the rights of tenants when an unlawful detainer action is filed without basis or upon the tenant succeeding in defending themselves in an action and the merits and limits of the Order of Limited Dissemination should not be altered.

We look forward to working with Committee and interested parties in creating a gradual offramp from the eviction moratorium and create a recovery that maintains successful housing stability strategies to avoid the unfounded fears of many.

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Senator Patty Murray
Chair, Senate Housing & Local Government Committee
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Sincerely,

A handwritten signature in blue ink, appearing to read "B. Waller", followed by a long horizontal line.

Brett Waller
Director of Government Affairs
Washington Multi-Family Housing Association
brett@wmfha.org

cc: Vice chair, Sen. Mona Das
Ranking member, Sen. Phil Fortunato
Sen. Annette Cleveland
Sen. Liz Lovelett
Sen. Jesse Salomon
Sen. Shelly Short
Sen. Chris Gildon
Sen. Judy Warnick

1.20.21

From John Stovall, on behalf of Patricia, Eviy, Liliana, Stina Jansen, Anna, Beatriz, Shannon Livingood, Jamie Brooks, Debbie Carlsen, Kayla Newcomer, Tyler Graber, Kimberley Thornton, Sarah Nagy, Elizabeth Jennings, Michele Thomas, Edmond Witter
SB 5160

Patricia's testimony:

the covid arrived at our house leaving havoc in the family. I could not continue with the rent payments. They laid us off for fear of contagion. I accumulated the rent payments and without more opportunity to pay backrent, the landlord came and knocked on my door and told me "if you do not have the money to pay, you must vacate and you have 2 weeks to leave." I pay rent for 3 months, it was very difficult for me to do it. He came to knock on my door one more time and he told me "I'm going to raise your rent the first chance I have." That scares me since I have never been behind in my payments. This was because of covid 19, unfortunately. I feel alone. I simply can't go on this way. I need you to listen to my voice and have mercy on me, help the unemployed and the needy, extend more income aid and support with a moratorium (this bill), I do not want to be evicted or have my rent raised

el covid llego a nuestra casa dejando estragos en la familia. no pude seguir con los pagos de la renta nos mandaron a descansar por miedo al contagio. se me acumularon los pagos y sin mas sin oportunidad de recuperarme el rentero me llego y toco a mi puerta y me dijo si no tienes para pagar desaloja el lugar tienes 2 semanas para irte. yo paga tu renta por 3 meses se me hizo muy dificil hacerlo llego una vez mas a tocar mi puerta y me dijo te voy a subir tu renta en la primer oportunidad que tengo eso me da miedo ya que nunca he quedado mal en mis pagos todo esto fue por causa del covid 19 lamentablemente me siento solo, quiero que no puedo mas. necesito que escucha mi voz y tengan piedad de mi ayuden al desempleado y al necesitada extiendan mas la ayuda para la renta y apoyen con mas moratoria no quieo ser desalojado ni que me suban la renta

Stina Jansen

My name is Stina. I'm a 5th generation Washintonian with proud roots in Eastern, Central and Western rural WA. I live in Jefferson county where I was raised. In September, my landlords evicted my family because they had nowhere else to live. Even though I was stressed to find a new place to live, I worked with my landlords with patience and cooperation just as I would hope any landlord would work with a tenant who has suffered the brunt of the pandemic and fallen behind on rent. A payment plan and right to counsel is a common sense way you, our elected Senators, can help ensure all landlords do what every landlord in good conscience is already doing. I don't want to linger on the "bad apple" landlords - so I won't. But I do want to offer a word of caution on the "lying cheating tenant" myth. There may be some people who tell a story today that tries to turn you off this bill. It's a story about a tenant who spends oodles of money on frivolous luxuries while willfully not paying rent. I hope no one here today drags up that old, tired, mean-spirited stereotype. When you look at it closer, it's a pack of assumptions without good evidence that distracts from the real issue. Let's focus on real things: how this bill prevents a spiking homelessness crisis and how it helps working families stay stably housed so we can go back to work as the health crisis and economy recovers, apply for rental assistance, pay back rent, and make our landlords whole. I work with a local nonprofit serving working families in timber country. I have directly and indirectly assisted over 200 families to apply for rental assistance. But the pandemic continues, jobs have not recovered, rental assistance dried up, rents are still due every month. Every family I know will scrape every last penny and leave other bills unpaid to pay rent. We know what will happen if we are evicted. Move-in costs take months or years to save. Affordable rentals in rural WA are few and far between. An eviction record will follow us. All of us know we can't just land another apartment. We go to our car, someone's couch, to a shelter. I've been there. That's why any of us would skip a meal to make rent. Not only would failing to pass this bill and thus failing to prevent mass homelessness be immoral - it would also be very expensive. Homelessness sets back economic recovery for everyone - tenants, workers, businesses and landlords. Ensuring housing stability for a duration where landlords and tenants can sort out a payment plan and tenants can return to work, apply for rental assistance and pay back rent: that's the fiscally responsible and humane path to an economic recovery for all of us. Thank you.

Liliana - Mi nombre es Liliana. Vivo en South Bend, Estado de Washington, desde hace 15 años con mi esposo. Soy Madre de 6 hijos, hace un año no trabajo por una delicada cirugía tuve que estar en casa para recuperarme, solo mi esposo estuvo generando ingresos, pero debido a la pandemia desde agosto y nos quedamos sin ingresos fijos. Rento una casa pero por la pandemia debo \$3,500 de renta de 6 meses, \$700 de luz y \$600 de agua, y estoy muy preocupada, desde que mi esposo perdió su trabajo porque él y una mayoría de sus compañeros se contagiaron de Covid-19. Ahora bajo nuestros ingresos él trabaja muy pocas horas a la semana y gana únicamente \$550 a la quincena. He tenido que vender mis cosas para pagar los gastos de mi familia. Recibí asistencia de renta, porque mi esposo y yo no calificamos para el estímulo económico por nuestros estatus. Mi arrendador no me ha subido la renta, pero tengo familiares que no han corrido con la misma suerte. La moratoria se vence hasta el 31 de Marzo, estoy muy preocupada por muchas familias en mi comunidad, Estaría destrozada si mi familia se queda sin ningún techo donde vivir, para mí es importante la estabilidad de mi familia y las familias de mi Estado. Por eso le pido a los legisladores, como madre y parte de esta comunidad trabajadora, poner la mano en el corazón y pensar en familias que están afectadas y que sean conscientes, que tenga bondad, la pandemia costará meses y años para recuperarnos estamos hablando de un ya de año y no todas las familias como la mía califican para los recursos del gobierno. ¿Qué camino hay para una familia que sea desalojada del hogar? Que el gobierno extienda la moratoria para proteger a los inquilinos de los masivos desalojos y sentir el apoyo del Estado de Washington por eso yo apoyo SB5160. Gracias Liliana

My name is Liliana, I have lived in South Bend, Washington State for 15 years with my husband. I'm a mother of 6 children. I have been unable to work starting a year ago because of delicate surgery. I stayed at home to recover because my husband was generating income. But due to a pandemic since August he lost his job. I rent a house but due to the pandemic I owe \$3,500 in back rent for 6 months including \$700 for electricity and \$600 for water and I'm worried. Since my husband lost his job because he and a majority of his colleagues contracted covid-19, we now have low income. He works very few hours a week and earns only \$550 every two weeks. I had to sell my car that I use to take my children to school to pay back bills. I received rental assistance because my husband and I did not qualify for financial stimulus or our status. My landlord did not raise my rent yet, but I know many families who have not had the same luck. The moratorium expires on March 31 and I am very concerned for many families like me in my community, it would be devastating if my family is left without a roof to live in, for the stability of my family and all of us in our State. That is why I ask the legislators, as a mother and part of this working community, to put their hand on their hearts and think about families who are affected and who are aware and have kindness. The pandemic will take months and years to recover. My family does not qualify for government taxes. What path is there for an evicted family? The street. That the government extends the moratorium to protect tenants and their families. From mass evictions and feel the Washington State support. For this reason I support the SB5150. Thank you.

English translation My name is Eivy. I live in South Bend, WA. I have a family, my son is 5 months old and my wife's name is Lizeth. We live in a trailer park, I work in construction. It's a small company from here in South Bend. The pandemic affected me a lot in my work. I have lost many hours of work. I owe \$1800 in rent for 3 months of October, November, and January. We received an eviction notice twice: the first was in November and the other was in December. December I paid the rent for fear of being evicted with my family. December I can only pay because I had to borrow money and I had to work a few days risking bringing an illness home from work. I have also applied for rental assistance but they never helped us. My landlord has threatened us to raise interest on the rent payment and also to evict us. My family and I are afraid that he will evict us and we have nowhere to go. We ask that you support us with the debt of \$1800 with rental assistance and this bill. *Spanish original* Mi nombre es Eivy. Vivo en South Bend, WA. Tengo una familia, mi hijo tiene 5 meses y mi esposa se llama Lizeth. Vivemos en un parqueadero de trailers, yo trabajo en construcción. Es una compañía chica de aquí de South Bend. La pandemia me afectó mucho en mi trabajo. He perdido muchas horas de trabajo. Debo \$1800 de renta de 3 meses del octubre, noviembre, y enero. Recibimos una notificación del desalojo dos veces: la primera fue en noviembre y la otra fue en diciembre. Diciembre di el pago de la renta por miedo a que me desalojara con mi familia. Puede pagar diciembre porque tube que pedir prestado y tube que trabajar algunos días arriesgándome a traer una enfermedad a mi casa del trabajo. He también aplicado para asistencia de renta pero nunca nos ayudaron. Mi dueño nos amenazó en subir intereses del pago de la renta y también en correrlos. Mi familia y yo tenemos miedo de que nos desaloje porque no tenemos a dónde ir. Pedimos que nos apoyen con la deuda de \$1800 con asistencia de renta y esta propuesta de ley.

Emma

Hi. I am supporting these bills because we as a family have been dealing with this situation that we are living right now, battling a lot because my husband did not have work for several months and we asked for help to pay the rent but there was little help and not even for several months. Right now we are worried about paying rent this month and we do not know how we are going to pay because my husband is not working much and we also have to eat. It would be good if there could be a little more help, not all the time because it is not possible either, but a little help would be very appreciated. There are many families who are not able to pay rent and we are worried that right now in these times our rents will rise, and with the situation we are in, that should not happen, because we barely have enough to get through it. Please listen a little bit and take your time to look at what we say. Take into account that it is a little bit of our time and I think that sometimes we would feel bad to ask for help, but at this time we should not, on the contrary it is better that you listen to us.

Spanish Hola. Estoy apollando esta peticion por que nosotros como familia hemos con esta situacion que estamos vivienda ahorita, battallado mucho porque mi esposo no tubo trabajo por varias meses y pedimos ayuda para pagar la renta pero no mas ayudan por poco y la ayuda no es por varios meses. Ahoritas estamos preocupados para pagar renta este mes y no sabemos como vamos a pagar porque mi esposo no esta trabjando mucho ahorda y tambien tenemos que comer. Seria bueno que no ayudarian un poquito mas, no todo el tiempo por que tampoco se puede, pero un poco de ayuda seria muy agradecida. Hay muchas familias que no tienen para pagar renta y estamos preocupados que ahorita en estos tiempos nos vallan a subir la renta, y con la situacion que estamos, no deberia pasar eso, por que apenasnos alcanza para irla pasando. Por favor escuchen un poquito de las lineas y tomen su tiempo para mirar. Tomen cuenta que es un poquito de nuestro tiempo y pienso que a veces nos daria pena para pedir por aayuda, pero en estos momentos no nos deberia, al contrarlo es mejor que nos escuchen nuestras voces.

Beatriz

Mi nombre es Beatriz y yo vivo en Aberdeen en el Condado de Grays Harbor. Soy mama de hijos de 17, 12, y 3 meses. Mi esposo corta madera, pero durante la pandemia le redujeron sus horas y con los incendios forestales no trabajo el mes de Septiembre, el mismo mes que dia luz al mas pequeño, por lo que nos atrasamos con la renta. La asistencia de venta "ERAP", nos ayudo a pagarla. En noviembre la dueña nos pidio desalojarla porque necesita donde vivir desde entonces hemos buscado un alquiler accesible a nuestro presupuesto y que sea saludable en esta area rural. He tenido que regresar a trabajar para juntar lo que nos piden de alquiler que son 4200 dolares, entre deposito, primero y ultimo mes de renta. Sin este proyecto de ley, mi familia y otras mas quedaran sin hogar cuando expire la moratoria. Gracias.

My name is Beatriz and I live in Aberdeen in Grays Harbor County. I am a mother of 17, 12, and a 3 month old child. My husband cuts wood, but during the pandemic his hours were reduced and with the forest fires I did not work in September, the same month that the youngest was born, so we fell behind with the rent. Financial assistance "ERAP" (rental assistance) helped us pay for it. In November the owner evicted us because she needs a place to live. Since then we have looked for a rental that is affordable and affordable for us and that is healthy in our rural area. I had to go back to work to earn what they ask us for for rent, which is \$4200, between deposit, and first and last month's rent. Without this policy, my family and others will be left homeless when the moratorium expires. Thank you.

Hello, my name is Shannon Livingood. I live in Vancouver in the 17th district, and I'm here to request your support for SB 5160.

In 2015 I found myself, a single parent, behind on the rent after experiencing some major health issues. I pooled every resource I could together including the help of a community church to get our rent current. Just a few days later we received a 20 day notice to vacate. This left myself and my three children homeless. I had just utilized everything I had and then some to get current. There was no way for me to once again manifest the funds needed to move into a new home when almost all landlords require a deposit plus first and last month's rent.

This one no cause eviction left the 4 of us separated and homeless for 13 months. We never lived as a family under the same roof again. My two oldest children branched out on their own. One dropped out of high school. Both skipped college and immediately joined the workforce.

All of this occurred simply because my landlord was legally allowed to give me an arbitrary "No Cause Termination" notice. This practice must be outlawed! People cannot live stable, productive lives if this is a part of what it means to be a renter in Washington.

Please vote yes on SB 5160 and ensure that renters are protected from the life-shattering events that happened to me and my children.

Jaime Brooks

Hello, my name is Jaime Brooks. I am a single mother of six; four of which live in my home. I hold a BA degree in Public Affairs with a minor in Criminal Justice. I've worked in law, corporate marketing, and as a social worker for the city and county. I now work in the technology and communications field. I lost nearly half of my household income one year ago due to job loss as a result of the covid shut-down and subsequent economic collapse. I maintain full-time employment, but it does not make ends meet; taking home \$3200 per month. My rent is \$2000 per month for 1350 sq ft. I do not qualify for food or public assistance.

I made a choice to prioritize rent payments over utilities, car payments, medical bills, and even food because I thought it was the right thing to do. I asked my landlord to consider reducing the amount of rent; she laughed. I continued to give the majority of my income to my landlord and as a result, my car was repossessed, utilities fell behind, and the junker car I now drive is on its last leg needing major repairs. In December, I paid half of my rent in order to catch up on bills. My landlord replied with a 60 day vacate notice.

Choosing to do the right thing by contributing to the real estate and gentrification game, AKA: paying overpriced rent, has severely damaged my credit, which is now a barrier to finding a new home. I am looking to purchase a van to live in.

Additional comments:

We are at a crucial point in the history of humanity with collapsing ecological systems and horrific suffering created by an economic model designed to self-destruct. Unchecked capital accumulation and corporate power have been exchanged for the essential needs to sustain life on Earth for the many, while preserving the illusion of wealth for the few. The global economic collapse is but one of many cascading effects that were predicted by researchers, economists, and scientists around the world for many years.

Increasing pressure on governments to take wise action in regards to what experts call the sixth mass extinction is now upon us. The unwillingness and inability of captured governments to regulate the destructive practices of the Corporate State are a clear and direct cause of the dark ages we now face. Food scarcity, social unrest, multiple health crises, and increased biodiversity loss might be seemingly unrelated events to the housing crisis being discussed today. However, when examined in relation to civilization deterioration, one can see how detrimental housing is in the greater scheme of things. Massive homelessness will inevitably result in an extraordinary increase in human suffering and criminal activity including theft, vandalism, violence, starvation, exposure, and death. The potential disruptions to infrastructure, institutions, transportation, and the distribution of goods will be far greater than any police department or military power can respond to. We must prioritize protecting public health and safety above a landlord's investments or income. Minimizing catastrophe by slowing its rate of speed is mere common sense. I strongly urge you to act accordingly.

My name is Debbie Carlsen the Executive Director of LGBTQ Allyship an organization that represents over 3000 LGBTQIA+ individuals. Thank you, Senators Kuderer and Das, for sponsoring this historic bill, SB 5160. Allyship has been educating hundreds of LGBTQ+ tenants on their tenant rights and resources in 2020 and every tenant has been impacted by COVID.

According to the new National LGBTQ+ COVID-19 report from MAP, 66% of LGBTQ+ households experienced at least one serious financial hardship during this pandemic vs. 44% of non-LGBTQ+ households and those numbers rise to 95% for Black LGBTQ households. And 64% of LGBTQ+ households experienced job loss since the pandemic vs. 45% of non-LGBTQ+ households. The levels of economic strife in the LGBTQ+ community equates to LGBTQ+ renters being even more vulnerable in being behind in their rent and becoming homeless. (<https://www.lgbtmap.org/2020-covid-lgbtq-households>)

Every tenant Allyship has spoken with has been interested in creating a payment plan with their landlord and we are thankful that this bill supports the right to a payment plan.

LGBTQ+ tenants continually share stories of discrimination from landlords based on race/ethnicity, sexual orientation and gender identity during COVID-19. For example, one LGBTQ+ immigrant tenant shared her story of being behind in rent and trying to set up a payment plan with her landlord. She was told to pay her rent, or her landlord would call immigrant authorities.

Especially because of bigoted landlords, Allyship support this bill in its just cause protections and understands that rental assistance is not enough to keep LGBTQ+ COVID impacted tenants housed. It is essential that all of us are active members in a just economic recovery and this important bill plants that seed. Thank you!

Kayla Newcomer

My name is Kayla Newcomer and I'm a resident of District 36, a graduate student at the University of Washington's School of Social Work, and the MSW Policy Intern at YouthCare. I'm writing on behalf of YouthCare today in support of SB 5160. YouthCare supports youth and young adults experiencing homelessness across Seattle and King County.

The economic impacts of COVID-19 have put thousands of Washington youth and families at risk of eviction and homelessness and have exacerbated racial disparities. As the eviction moratorium ends, many Washingtonians will face thousands of dollars in back rent and potential eviction --creating another homelessness crisis on top of what already is a homelessness crisis.

SB 5160 would require repayment plans for unpaid rent during the pandemic, and ensures that landlords and tenants can access state rental assistance programs. SB 5160's provision of legal representation for tenants facing eviction is key in addressing racial disparities and barriers to legal representations that BIPOC communities face.

These provisions are key in providing a path for youth and families to retain housing and not have to pay months of back-rent at once (an impossible feat given the economic consequences of COVID-19 on our communities). Tenants need critical rental assistance and eviction protections to help pay rent and prevent a surge in evictions. For youth, in particular, this is especially important because young people are just beginning to create a rental history, and having an eviction on their record creates barriers to accessing housing for the rest of their lives.

For these reasons, we urge you to pass SB 5160. Thank you for your time.

Madam Chair and members of the committee:

Thank you to Senator Kuderer for the invitation to provide testimony about this bill. Northwest Justice Project is funded by Congress and the state of Washington to provide free legal services to low-income people across the state of Washington. As such, we are uniquely positioned to comment on the positive impact that this bill would have on the lives of low-income renters.

First, the bill provides a necessary and important step toward normalizing landlord-tenant relations after the moratorium. During the period of the Governor's moratorium NJP has seen an increase in renters seeking legal advice or representation—in spite of the fact that very few evictions are being filed in court. Low-income renters still need access to legal advice and representation because even with the moratorium they are facing illegal lockouts and pretextual evictions. Some landlords are using the exceptions in the Governor's moratorium—dealing with 60 day notices of intent to reside in the unit or sell the unit—as pretextual reasons to evict renters who are behind on rent or otherwise are unable to be evicted. This bill extends those 60 notices for two years. In order to protect tenants from further pretextual evictions, it will be important to increase access to justice as this bill does.

Second, the bill provides a right to counsel for indigent renters. This provision will go a long way toward providing access to justice for low-income renters and make the renter protections in the bill far more meaningful. In our experience, many counties see low rates of legal representation. The University of Washington Evictions Project reported that, during the period 2004-2017, fewer than 8 percent of unlawful detainer defendants in Washington had an attorney to represent them. Thirty of Washington's 39 counties, including three of the five most-populous counties (Clark, Pierce, and Spokane) had lower percentages. Not surprisingly, given the lack of representation, default judgments were entered in many of these actions, with rates in the five largest counties, as of 2017, ranging from nearly 30 percent to nearly 50 percent.

When eviction defendants did have the benefit of counsel, it made a difference. For example, a 2017 study of Seattle unlawful detainer actions found that tenants with legal counsel were about twice as likely to remain in their homes and more than three times as likely to receive some form of settlement or stipulation as those without legal counsel. Those that remained in their homes were able to dismiss the action entirely—a stark difference from those that were kicked out of their homes and ordered to pay a judgment that would burden them with debt. But most tenants were forced to defend against evictions by themselves. This bill corrects that problem.

One issue that may need clarification related to appointment of counsel is to ensure the ability of an appointed attorney to request a continuance to the next week, if the attorney is appointed at the show cause hearing. This will allow the renter to contact the attorney and the attorney to present a defense. In most counties, there is no in court housing clinic and the renter will need to contact the attorney after the appointment. If the court does not continue the hearing, then the renter and the attorney will have no practical way to present a defense. Section 6 should be amended to permit a continuance for the appointment if necessary.

The bill contains one provision that should be corrected. The bill eliminates the Order of Limited Dissemination statute. This should not be rescinded. NJP and others routinely represent

renters seeking OLDs months or years after their eviction because the record remains harmful for up to seven years, or longer if a judgment exists.

Thank you for the opportunity to comment on this bill.

Tyler Graber, Northwest Justice Project

To Chair Kuderer and members of the Housing and Local Government Committee:

I am an attorney who has provided volunteer legal services to low-income tenants for almost four years. I submit the following comments to the committee in support of SB 5160.

Tenant Protections (new Sections 3 and 4)

It is essential that tenants continue to have protection from eviction as long as a public health emergency continues. The exceptions carved out in the new Section 3 of SB 5160 are reasonable for both tenants and landlords. The overall intention for the eviction prohibition has always been to protect public health by preventing tenants from becoming homeless and either contracting or spreading the COVID-19 virus in the community. I urge the legislature to continue Governor Inslee's efforts to protect public health by extending the protections he instituted and enacting the provisions in Section 3 of SB 5160.

With regard to new Section 4, the legislature must take into account the fact that most tenants did not fail to pay rent intentionally over the last year. Claims by landlords that a large number of tenants did not pay rent even when they had the ability to pay are unsubstantiated and, in my experience, not widespread. The COVID-19 pandemic has wreaked havoc on jobs, health, and stability of households nationwide. These are the facts that should drive this legislation. Further, tenants who were unable to pay rent during the pandemic should not be penalized when seeking housing in the future. The pandemic is a once-in-a-lifetime disaster and tenants must be able to recover and move on. Most tenants who could not pay rent as a result of the pandemic will prove to be responsible tenants once the pandemic is behind us. Enabling them to find new housing in the future will help landlords and tenants alike.

Repayment Plans (new Section 5)

I urge the legislature to consider that the only way many tenants will be able to honor their obligations to landlords and get back on their feet is if they are able to negotiate a reasonable payment plan with their landlords. The requirements in new Section 5 of SB 5160 provide a rational, practical means of ensuring that landlords can recoup as much past due rent as possible without needlessly hampering tenants' ability to make ends meet. Both sides will benefit from this proposed legislation and tenants should not be forced to make a choice between paying rent and eating or taking care of their health.

Right to Counsel (new Sections 6 and 7)

For low-income tenants, right to counsel for an eviction proceeding is a close analog to the right to counsel for a criminal proceeding. Particularly during a world-wide pandemic, low-income tenants face potential loss of both their own life and the lives of others if they are evicted and become homeless. Low-income tenants who are evicted are more likely to become homeless, because they lack the resources to find new housing and because the eviction record itself makes potential landlords less willing to rent to them. Homeless people are more likely to be exposed to and transmit COVID-19, a disease so lethal that over 400,000 people have died in the United States in under a year.

Most landlords, particularly large commercial landlords, have ongoing relationships with attorneys, who advise them on legal strategies for dealing with tenants. The attorneys guide them throughout the entire landlord/tenant relationship, as well as the eviction process. Low-income tenants lack this fundamental advantage in their dealings with landlords at every stage of the tenancy. Tenants do not routinely have attorneys to advise them in day-to-day disputes with landlords or on the best course to take when served with a notice of eviction. They also do not routinely have attorneys to guide them through an eviction. Most tenants are intimidated by eviction and don't know where to turn. Under the current structure, low-income tenants have little to no access even to pro bono legal representation outside large urban areas. In some areas, legal aid services are provided by an extremely limited number of volunteer attorneys who lack the resources to assist tenants. This bill would provide funding for legal assistance regardless of location.

In an environment where eviction of a low-income tenant is highly likely to lead to homelessness, it is crucial for the legislature to take steps to equalize the imbalance of power between landlord and tenant and guarantee legal representation at least during the eviction stage of the relationship. Tenants must have access to legal advice to help them avoid becoming homeless and potentially spreading COVID-19. Moreover, in my experience, both parties fare better when both parties participate in a dispute as equals. A tenant who feels that he or she has been adequately heard and defended is more likely to comply with any negotiated agreement or court order. This would be a win for the landlord, who would be more likely to receive payment.

Sealing of eviction records (new Section 16)

Under current law, once an unlawful detainer action is filed by a landlord, that action remains on the tenant's record FOREVER. The record does not expire at some later date as with a debt. The only avenue currently available to tenants to limit access to this record is a limited dissemination order, which prohibits tenant screening agencies from reporting the eviction to future landlords. The limited dissemination order is an imperfect solution to the problem, as it does not actually expunge the tenant's eviction record and tenant screening agencies have been known to disregard the court order. I support the proposed amendment to chapter 59.18 RCW requiring eviction records to be automatically sealed. I DO NOT support, as currently written, the provision that allows the record to be unsealed if the landlord prevails at a show cause hearing or default judgment. Even if the landlord prevails at the show cause or default judgment, there may be circumstances that favor sealing the eviction record in order to enable the tenant to find new housing. I recommend that in addition to allowing the record to be sealed if stipulated by the parties, sub-section (3) of Section 16 should be amended to permit the tenant to petition the court to seal the record upon a showing of good cause. This would be comparable to the process currently in place for obtaining a limited dissemination order. Most tenants who are evicted, both during the COVID-19 pandemic and in general, are victims of circumstance and should not be penalized long-term.

Thank you for considering my testimony.

Kimberlee A. Thornton
Attorney, Olympia, WA

Members of the committee:

On behalf of Columbia Legal Services, I respectfully request that you vote to pass Senate Bill (SB) 5160 out of committee. Columbia Legal Services is a statewide nonprofit organization advocating for laws that advance social, economic, and racial equity for people living in poverty. We believe that SB 5160 is necessary in order to protect renters from a disastrous financial cliff that could result in widespread housing instability and homelessness, with disproportionate impact on people of color.

During the summer, the U.S. Census Bureau's weekly Household Pulse surveys produced a one-week snapshot in which 58% of Black renters reported being unable to timely pay rent that month, compared to 10% of white renters. In December of 2020, a week's snapshot showed that even as employment rates begin to stabilize for some industries, Black renters were still three times as likely as white renters to report being behind on rent, and twice as likely to state that they had "no confidence" that they would be able to pay next month's rent. Even before the pandemic, poverty rates were consistently higher among black and Latino households in Washington, and the number of families with below-poverty earnings increased sharply in the first half of 2020.

SB 5160's provisions establishing requirements for repayment plans are critical to keeping these renters housed in the coming months. For families who did not have savings to fall back on even before the worst economic downturn in a century, the path to stability may be months long, even as state and federal rental assistance becomes more widely available. Currently, debt to a previous landlord is sufficient reason to reject a tenant's rental application, regardless of their ability to continue paying rent going forward.

SB 5160 ensures that renters have the opportunity to negotiate repayment plans that take their financial circumstances into account. It protects them from falling into a dangerous gap if they need to move while still paying back what they owe to a former landlord. It provides a means of repayment that keeps debt out of collections, avoiding garnishment, damage to credit, and other long-term financial harm. It protects renters' ability to continue paying for other necessities of life while they work to pay back their landlords, ensuring that when food insecurity statewide is spiking, the rent does not eat first. And it ensures that payment plans can be fairly negotiated even for families not eligible for some kinds of assistance—especially immigrant families.

We respectfully ask that you vote SB 5160 out of committee and support its final passage. Thank you for your consideration.

Sarah Nagy
Staff Attorney
Columbia Legal Services

SB5160 Testimony
20 Jan 2021

Elizabeth Jennings, Community Engagement Manager
Community Action of Skagit County

I'm Elizabeth Jennings, commenting pro on behalf of Community Action of Skagit County and the Washington State Community Action Partnership.

I would like to propose that this bill is not, as some have represented it, a "Landlords vs. Tenants" fight. It's about making everyone in our community whole, which is the definition of justice.

Some of my best friends are landlords.

It's true. At Community Action, every year we work with over 100 private landlords as valued partners to prevent the homelessness crisis from getting worse in Skagit County.

That's what eviction prevention is. It is homelessness prevention.

We pump millions of dollars into the local community and to private businesses to keep folks safely housed.

In the second half of 2020, we helped over 300 individuals keep their homes. In a county with less than a 1% vacancy rate on apartments, that means we kept 300 people off the streets. In this housing market, imagine the suffering that will come with the eviction cliff.

If this committee and our state want to reduce homelessness, we must start by preventing it in the first place, and equal access to legal representation is key to eviction prevention.

I say this not only as an advocate standing with people experiencing homelessness. I say this also as a landlord. Community Action is a landlord ourselves, and so are many nonprofit housing partners.

We are not asking for special treatment for tenants, but for justice, which is equal representation for landlords and our tenants.

Thank you for this opportunity to speak before your distinguished committee, and I welcome any questions.

RE: PRO SB 5160/Kuderer

The Honorable Chair Kuderer, Vice Chair Das and members of the Senate Housing and Local Government committee,

The COVID-19 pandemic and economic downturn has not hit all households equally.

Households of color — especially Black, Latinx and Indigenous households and low-income renter households — have all been hit much harder. Many are struggling to meet their basic needs and have only been able to maintain a roof over their heads because of the state's eviction moratorium. Without the state moratorium, which is now scheduled to end on March 31st, many renters would have already been evicted and many would be experiencing homelessness. The Census Bureau data has consistently revealed troubling truths about the impact of the economic downturn:

- Between 140,000 – 180,000 of Washington's renter households are behind in rent each month,
- Black and Latinx/Hispanic renter households are consistently more likely to report being behind in rent each month,
- Hundreds of thousands who are currently able to pay rent are relying on unsustainable means to meet their basic needs: credit cards, loans from friends and family, and depleting their savings.

Households of color have been disproportionately impacted for a number of reasons. Systemic racism has driven down wages and access to homeownership opportunities for communities of color, leaving expensive rental housing as the only option. For example, statewide, Black households are twice as likely as white households to be renters. On top of this, Black and Latinx households have been more impacted both by the COVID pandemic and by the economic downturn. And households of color, especially Black households, were at much greater risk of homelessness even before the pandemic. For example, statewide student homelessness data has consistently shown that students of color disproportionately experience homelessness. For example, 1 in 11 Black students experienced homelessness during the 2017-2018 school year, with Native American/Indigenous students also experiencing startlingly high rates.

The eviction reforms proposed in SB 5160 are absolutely critical in order to prevent a significant increase in homelessness, especially among renters of color. Washington's eviction system results in significant inequities and must be improved. Key improvements in SB 5610 which we hope will remain included in the bill as passed out of committee:

- Right to counsel: Currently, many tenants lose by default and never get to make their case. This happens when tenants do not have information about their rights and are intimidated by the legal process. For tenants who do appear in court with hope of asserting their rights or explaining their story, they stand next to the landlord's attorney and enter a courtroom without someone who can help them navigate the complicated process and the complicated laws. Access to justice demands the right to counsel for low-income renters who stand to lose so much from an eviction.

- Preventing rent debt accrued during the moratorium and pandemic from being used to deny tenancy in the future: It is absolutely clear that low-income renter households will be hurt by recession for years to come. Denial of housing by prospective landlords due to falling behind on rent during the pandemic is a real threat. SB 5610 specifically will outlaw such denials.
- Requiring cause to evict: Importantly, the bill limits the reasons a landlord can make someone move for two years after the bill is implemented. While Washington's tenants need permanent good cause protections, this is an absolutely critical component of the bill. Without good cause eviction requirements, landlords are able to circumvent all tenant protections and make the tenant move – without even providing a reason. This undermines housing stability and undermines interventions to prevent homelessness.
- Prohibition on late fees: The bill extends the eviction moratorium's prohibition on late fees on unpaid rent that accrued during the moratorium. This is absolutely critical, especially if Washington has any hope of digging our way out of the significant arrears that have accumulated since March.
- Mandating fair payment plans: The bill requires landlords to offer a payment plan that must factor in the tenant's economic circumstances. Individually tailoring payment plans is the only way that they will work. As outlined by 5160, they offer both landlords and tenants an opportunity to work out an agreement that is feasible. The prohibition on language in the payment plan that would waive the tenant's rights is critical.
- Reinstatement of tenancy and judicial discretion: 5160 strikes the prohibition on judicial discretion for tenants who have 3 or more pay or vacate notices. This change is especially important given the depth and severity of the recession on low-income renter households.

Please do not allow Washington's homelessness crisis to escalate: Please swiftly pass SB 5160.

Sincerely,

Michele Thomas

Washington Low Income Housing Alliance

Re: Support for SB 5160

To Whom It May Concern:

I write to you in support of SB 5160 as it provides essential protections to households struggling during the COVID-19 pandemic. At the King County Bar Association, we provide legal representation to over 5,000 King County families each year and manage one of the largest rental assistance programs with United Way of King County, Home Base.

The Week 21 U.S. Census Pulse survey reports 175,717 Washington households are behind on rent. To put that number in perspective, King County has roughly 11,751 homeless individuals, representing roughly 0.05% of the overall population of King County. Even an increase of several thousand households becoming homeless would overwhelm our homeless response system and make homelessness an even greater issue for our region.

In order to avoid large scale evictions and homelessness, it is necessary to provide a) rental assistance to households in need, b) time for those to be processed, and c) ensure persons will have equal access to those resources. There is no means by which we can avoid mass evictions if the Legislature only provides for one or two of those items. For example, rental assistance without sufficient time to process applications or build an infrastructure to support it will result in thousands of preventable evictions just as [roughly 27,000 Washington residents were still waiting 7 months for unemployment benefits in December, 2020.](#) Similarly, providing rental assistance without the needed legal and social services support will result in the eviction of families who were not protected from an erroneous rental assistance application denial or who did not know how to properly apply for the program, especially since [only 8% of tenants have access to legal counsel in Washington.](#) Without adequate legal counsel to help families facing eviction, many rental assistance resources will not be accessed by families in need.

SB 5160 achieves all of these by ensuring rental assistance will be provided to landlords and tenants, provides time for those funds to be processed by providing a grace period and payment plan option to tenants, and provides legal counsel and mediation services to tenants who may not access those support services before an eviction would take place.

SB 5160 provides a means to transition from the existing moratorium back to normalcy. SB 5160 will create much needed support to prevent evictions and provide certainty in an uncertain era. We urge you to recommend passage of SB 5160.

Sincerely,

Edmund Witter
Senior Managing Attorney
King County Bar Association
1200 5th Ave Suite 700

Seattle, WA 98101
(206) 267-7019

1/20/21

Brandon Leyritz 5160 statement

- I'm a local small business landlord. I own a duplex in Auburn. I lived in one unit and kept tenants in the other unit.
- My goal in buying property was to provide housing for others as well as invest in the community
- Things were fine at first, but when they got bad, I maintained good faith conversations and took extreme measures to help my tenants find rental assistance from non profits and organizations. Which they failed to attend appointments or follow through on processes. I also made arrangements and when they failed those arrangements, I made new arrangements to include the old arrangements
- This went on until all communication ceased from them along with all the payments before the moratorium.
- When I finally realized that I couldn't maintain in this condition much further, the moratorium was put into place, so there was no way for me to have them vacate the property. I asked them to leave and I would forgive their back rents but the moratorium gave them a confidence to defy the civility of our relationship.
- I had to move out of my only home and rent it out so that I could have some rental income to help with the mortgage
- The tenants leveraged the moratorium to willfully disregard most aspects of the lease agreement and were a constant safety threat to themselves and neighbors and to the community.
- If their negligence didn't lead to a fire last summer which rendered them and another family without a place to go, who knows what would have happened to them or anyone else.
- The financial impact is severe and disabling, but the hardest part of these restrictions is the hands being tied for a system designed to protect properties, tenants from themselves, and communities
- Removing consequences for some people will only cause more damage to everyone else.
- Landlords can't shoulder the entire safety, emotional and financial burden of the crisis

- If the landlord loses the home, the tenants are evicted by the bank in foreclosure anyway.

1/20/21
Chris Dobler

Hello Chair Kuderer and Committee,

I have been a housing provider for over 35 years. Our property management company manages over 5,500 apartments in Pierce County. We provide “work-force” housing for between 15,000 and 18,000 people.

I oppose SB 5160.

The solution needed is more rental assistance. More rental assistance will help both residents and housing providers.

Changes to the eviction process will not assist residents in getting their rents paid. Again, the solution is more rental assistance.

In the last year, we have continued to reach out to non-paying and non-communicative renters offering payment plans, and are still carrying over a \$200,000 in unpaid rental debt. This amount is down from over half a million, due to many of our residents receiving rental assistance.

This bill overreaches to protect some residents, while not taking into consideration the needs of the majority of our residents and those of us providing the housing. Our residents deserve the right to quiet and peaceful enjoyment of their homes. This bill would do the opposite, by making the neighbors of renters engaging in dangerous, destructive, and/or disruptive behavior endure even more of the same with less remedy. Instead of this bill, again what is needed is more rental assistance.

As Housing Providers, we provide housing in our communities. We need our residents; they are our customers. Housing Providers do not make money evicting our customers, but we do need our residents to pay their rent. This bill is based on the assumption that evictions are housing providers’ preferred response. This is simply not true. Evictions are costly and time-consuming. Long before the pandemic and the Eviction Mandate every housing provider I know, and I know many, have always made payment plans for residents experiencing financial hardship. Again, the solution is rental assistance.

Housing Providers simply cannot afford to continue to provide free housing for 2 more years, especially while our costs continue to increase. Property taxes, utilities, insurance, and payroll have all increased in the last year. In

fact, the property taxes for most of our apartment communities have gone up yet again another staggering 25- 30 percent!

If SB 5160 were to pass, many Housing Providers would have no choice but to discontinue providing housing. This bill would result in the reduction of housing stock and equally important the lack of new, additional housing stock. No business model can survive not increasing costs for three years, especially when some renters refuse to even communicate and have been unfairly taking advantage of the current Eviction Mandate.

Controlling rents does nothing to create more housing. If this bill passes, property values will stagnate and even decrease. Which further removes any incentive for housing providers to take on additional risk and add more housing.

This bill's plan to require housing providers to allow non-paying and non-communicating renters to continue to receive free housing does nothing to address the housing providers' debts. The solution to the growing debt for both is once again rental assistance.

While I am most concerned with the above portions of SB 5160, I am happy to also discuss my other areas of concern with you at your earliest convenience. I truly hope this Committee takes into consideration the valuable insight and perspective actual housing providers offer. It is critical those of us providing housing be asked and be heard, in order to truly solve the housing concerns all of us have.

Please vote no on SB 5160.

Thank you for your time and for your service.

Sincerely,

Chris Dobler, CPM

chrisd@dmcimail.com 253.475.2405

Jan 20, 2021

1/20/21

SB 5160

Dear Members of the committee,

My name is Cory Brewer, I am with a company that manages over 1,500 rental homes in Washington state. Most of these are a very unique and crucial element of the housing supply in that they are single-family houses.

Single family homes meet the needs for a lot of residents that apartment units do not, and the types of housing providers that we represent stand to be punished the most under the proposals being made in this bill.

I am in the thick of this every day and I have some real world data to share with you.

- There has been a very popular trend in the past year with people wanting to move out of in-city condos and apartments so they can find a larger suburban home (health concerns, working and schooling from home being major factors). This is a national, even global trend.
- The demand, or absorption rate for condos & apartments in Seattle fell by over 32% in 2020, a HUGE number. Meanwhile, the demand (absorption rate) for single-family houses on the Eastside increased by 24% another HUGE number.
- We also look at the supply, and every year we lose a certain number of clients for various reasons. In 2020, we saw a 33% rise in the number of clients closing their account with us because they are selling the rental home. In Seattle, that number spiked by over 48%.
- This is a very REAL result of the punitive legislation that you continue to push at the state level, and even more aggressively in the city of Seattle.

Who does this hurt? This hurts renters. We are seeing more applications from Section 8 voucher holders than ever before. Some of these families have no other choice, there are bedroom count requirements based on how many kids they have, and a 2 bedroom apartment in downtown Seattle is not an option for them. Ultimately this results in the renter population being punished because the already scarce supply of housing continues to shrink when policies like this, despite their good intentions, push investors out of the housing supply market. Ironically your tenant "protections" become counterproductive.

You are attempting a one-size-fits-all solution to address a problem that is NOT a one-size-fits-all problem. You should be ENCOURAGING private housing providers, NOT PENALIZING them. We are having the conversation more and more with prospective housing providers fearful of investing.

The biggest concern that we have when getting specific is the forced renewal of a fixed term lease. This amounts to government seizure of private property, and it's a completely unwarranted intervention into a private agreement between private parties that is mutually agreed to.

Lots of people are struggling and we WANT to help them. There is \$508 Million in housing relief funds that should be given to renters NOW so they can catch up on their bills, and housing providers can sustain the housing that they provide. After all, where would we be without the housing providers that we *do* have? Instead, your plan would be to funnel this money into the hands of eviction defense attorneys. Why don't we find a way to keep the idea of an eviction off the table completely?

Finally, the broad-stroke application of these proposed policies is lazy and ultimately that is what backfires on you. A software engineer making \$250k/year doesn't need "protection" against not paying rent or following the rules of their lease. You pin the burden solely on the housing provider, and again, you lose housing supply because of it.

If possible I would like to request a private meeting with any members of this committee to discuss further. I very much appreciate your approach, in that this is a work in progress and you are asking for suggestions. There is a misconception that the end of a term tenancy is an "eviction."

1/20/21

Margo Henson

SB 5160

I have two single family rentals with the same tenants in place for seven and twelve years. I charge less than market rent to maintain these long standing relationships. I'm an attentive housing provider and believe that small landlords provide more under market housing than most cities in Washington.

This bill sets up an antagonistic scenario between housing providers and tenants. None of us need more of this in our lives. It is better to help tenants if they run into trouble right away with paying their rent. It's more empowering to everyone to provide a helpful solution rather than one that promotes anger and possibly feeling downtrodden by the system you are proposing. Better to help both sides with a positive program that offers solutions to everyone.

I may not rerent my properties when the current tenants leave due to the uncertainty of what the states might do as illustrated in this proposed bill. Selling my properties will remove two more houses that will not be available to the tenants in our area. Please look at your choices and make different ones to help all of us.

Thank you.

Margo Henson
(206) 784-6627

1/20/21
Ronald Bunn
RE: SB5160

Dear Committee Members:

My wife and I have been small housing providers in south King County for 10 years. We are retired with five single family rentals. Two of the five are Oxford House transitional housing residences for 16 individuals who come from drug and alcohol rehab. All homes have mortgages, insurance, tax, maintenance, and management obligations. By reinvesting in our rentals we provide a quality product that our tenants can take pride in.

We believe we are typical of many small property housing providers. My wife and I are not extravagant people. Our daily transportation cars are 16 years old. We live in a 1700sf 25 year old house that was only recently remodeled. Before that, most of our rentals were in better condition than our own home.

Currently, one tenant is behind over \$5,000 in rents and utility bills, for which we are obligated if he does not pay. From this amount we have forgiven one month's rent, but this cannot continue.

We are a small business. This is our retirement. Just as any retailer must purchase and re-sell the inventory on their shelves, the days that our homes can be rented are the inventory on OUR shelves. I ask you: If you would not legislate to re-direct YOUR own retirement funds to benefit this cause, by what measure do you reason that we should do so?

Simply put: My wife and I simply cannot afford to give away housing while covering all operating costs. Our alternative is to sell our rentals and move our personal capital elsewhere. When sold, our rentals will not go to other housing providers. This is NOT an opportune time in

Seattle for small single family investors. There are far better investment opportunities elsewhere. (Note: Just this past week we turned down a rental home investment opportunity priced 20% below market value because the investment return is far too minimal and the risk this bill presents is far too great!).

When sold, our few units will make little difference to the broad rental market. However, it WILL make a difference to the 27 or so individuals that will be displaced. Gradually, as hundreds of other small housing providers do the same, a dearth of available single family homes will occur, and it WILL make a difference to the larger constituency you are trying to help.

A two year eviction ban will only reduce rental housing supply. It is already having a chilling effect on small and large investors alike. Please do not unwittingly give your constituents the “unintended consequences” of less available housing. Please vote NO on SB 5160.

Respectfully submitted,

Ronald and Elizabeth Bunn

1/20/21

SB 5160

My name is Terry Farrah. I live in the Ravenna neighborhood of Seattle and I own one rental property: a single-family home on a lot adjacent to my own home. I have rented out this property since 2015. My first set of tenants was a group of low income young adults. My tenants were able to afford living in Seattle because they shared this home, and I enjoyed making that possible for them.

When my tenants moved out during the pandemic I felt very anxious about replacing them. The unfortunate result of any eviction moratorium is that some tenants will stop paying rent entirely rather than pay what they can. I knew that this would make my life very unpleasant, especially since my rental is next to my own home. Further, I count on my monthly rental income to pay the mortgage, insurance, and maintenance on the property. Should my tenants stop paying rent, I would sell the home rather than deplete my retirement savings to pay these expenses

To reduce my risk, I increased the rent and required a good credit score, no prior evictions, and income 3x the rent. I'd prefer to make my rental available to people of lesser means, but the eviction moratorium, combined with Seattle's First In Time law, made stringent tenant screening criteria the only way I could guard against an untenable future. To be honest, the process of finding my next set of tenants was very stressful, and there were times that I considered selling the rental just so that I did not have to bear this anxiety. I've heard similar sentiments from other landlords

An eviction moratorium turns landlording into a game of roulette: the large majority of landlords will emerge unscathed, but a significant number will lose. The risk of losing is extremely distasteful to most small landlords. We will first try to reduce our risk with more selective tenant screening, exacerbating our housing crisis. And many of us will ultimately choose to get out of the landlord business and invest our money elsewhere. This would result in less rental housing available, another step backwards. For the collective good, the state must not burden landlords with this risk.

Terry Farrah

1/20/21

SB 5160

Hi, my name is Winnie Fung, my husband and I have 3 single houses and 3 duplexes. Due to my husband's health condition he retired at the end of 2014 at the age of 61. In order for us to be able to retire we transferred all our assets in California to Washington in 2015 and become a housing provider in Washington.

Our living expenses are paid by rental income, it cost us over one thousand dollars each month just for the medical bills. If the eviction ban is extended for 2 years, we have to sell all our properties in order to pay mortgages and our bills. Without rental income it is hard for us to live.

Please understand that most small housing providers they have mortgage, property taxes and insurance, etc. SB5160 will force us to sell our rental properties. I do not think it will solve the homeless issue.

I believe all the people working for property management companies will loose there jobs too due to no rental. That will create more unemployment.

Please reconsider passing the evection ban extension.

Thank you.

Kin and Winnie Fung

1/20/21
Gael Goodwin
SB 5160
Dear Senators,

As a Seattle housing provider of over 30 years, I am contacting you in opposition to SB 5160. I've owned a small building of 30 rental units in Seattle, a building today in which I also now live. In prior years I've managed small rental properties of my own, as well as acting as a property manager for 1-2 other small property owners. Providing a safe, well-maintained, healthy, and peaceful environment is the primary purpose of my daily work so that lives and property are safe and happy places. In today's work from home environment this is more important than ever.

During these years I have worked with approximately 600 residents, approximately 60 of these were month-to-month leases; the remainder have been term leases which are almost always renewed at the end of the lease term if the residents wish. I have chosen to not renew leases for fewer than 20 residents, out of the 600 or so over the years, and only when key problems were not resolved with many friendly reminders.

In the last 30 years I have had 2 evictions – one about 28 years ago and the second 9 years ago. I collected on neither eviction and pursued them only to regain my property as the tenants refused to communicate, pay, or vacate. I avoid evictions like the plague, and only in these two when I exhausted all other avenues.

The 20 or so leases which have not renewed at my discretion were for serious breaches of lease terms and/or local, state, and fire codes posing potential or actual danger or threats to life or property, or where other occupants were negatively and repeatedly impacted by non-compliance. These include repeatedly violating no smoking policies creating health concerns for fellow residents and posing a fire hazard, disabling or tampering with smoke and carbon monoxide devices, repeated or egregious harassment of residents, workers, or myself, leaving common area door ajar allowing entrance by non-residents, failure to drive safely on the property, not cleaning in unit dryers regularly, or candles being left unattended. Each instance is where I felt the actions or non-compliance of lease conditions and/or City, State, or Fire codes had the actual or potential danger to lives and property, or significant waste or damage.

Under SB 5160 it will be impossible to address non-compliance where occupants are endangering themselves, occupants and pets, the property, and me. It fails to provide recourse of any sort to protect lives and property, harassment, or threats of violence. It fails to provide any requirement for occupants to comply with City, State, and fire codes and laws designed to protect lives and property.

People who don't work in the housing provider field, or those operating single-family housing, might not see much risk in this. However, those of us who work in the multifamily arena, particularly two stories or more, are hugely concerned about this. As a small time housing provider my limited experience, but over 30 years, serves as an example of the dangers.

As a small time female housing provider my ability to keep lives and properties is aided mostly by great occupants with whom I develop strong professional relationships. However, as with all aspects of society (and I am sure housing providers are included in this) a few occupants simply don't and won't abide by lease conditions – as well as codes and laws – designed to protect lives and property; laws and codes also designed to ensure occupants peaceful enjoyment of their home. And now their work place.

Here is what has occurred before I began offering expiring term leases. In each case the parties were Caucasians of varying ages, young to middle-age. I am saying this because this is not a race concern disguised as something else. It is directly tied to life and building safety and the absolute need to provide safety for people and property.

- In one instance, a tenant developed serious alcohol dependency, and moved an unauthorized occupant in, who began extinguishing multiple lit cigarettes on carpet and furniture. The apartment was filthy with human excretions – including blood. The tenant was in a month-to-month lease and only protections available to me were to serve a 10 Day Notices to Comply or Vacate and contact Social Services. I served a 10 Day notice and prayed the unit and building would not catch fire. Sadly, the tenant died in the unit of alcohol poisoning on the 9th Day of the 10 Day Notice. The unit required HazMat.
- In an instance, an applicant was denied based on credit, and became extremely belligerent upon being notified, showing up at the property. Six months later this applicant was the local news for shooting several people in at an apartment in Skyway (a small community south of Seattle) before driving to Mount Rainer, where he killed a Forest Ranger before dying of exposure. Had the applicant leased from me and been as belligerent as he was at application we could have experienced what the Skyway apartment did.
- The most extreme example was at a family apartment building when I was 16. A tenant drove his motorcycle into his ground floor apartment, put food on the stove at 1:00 AM, and then fell asleep. His unit caught fire, and 12 units of a 57 unit apartment building were completely destroyed by fire, with many others damaged.

The only reason people didn't die is because the apartment manager, her daughter and son-in-law, and my brother ran all 5 floors of the building, knocking on doors to get people out. Smoke was so thick on the final floor they could not see ahead of them,

The Fire Department arrived later, reportedly leaving at the first arrival because they could not see the fire on the downhill bank of the property, and thought the call was a prank. Fire policy reportedly changed after this.

- In two instances after I began offering terminating leases with an option to renew based on lease compliance for the reasons stated above, two were for residents that directly and repeated harassed me and people in my employ via phone calls and emails.

These are extreme examples of occupants failing to abide by lease conditions. Yet, it's precisely because they are so extreme, and yet as a small housing provider I have experienced all. The ability to not renew a lease where there is non-compliance with lease conditions, codes, and laws has been critical to my ability to provide a safe, healthy, and well-maintained environment on which many depend. Please vote no on SB 5160.

Thank you,
Gael Goodwin

1/20/21

Thank you for this opportunity to testify in opposition to SB5160.

My name is Gordon Haggerty, and I've been an affordable housing provider for over 50 years. I got into the business because I needed affordable housing myself...and I still do. We have a family-owned and operated business, and we treat our residents as family. That means we give them the same kind of respect, attention and service that we would give any family member, AND we also expect them to care for the property and fellow residents as they would their own family members - including meeting their obligations. When they get into trouble, we work with them to resolve their problem, and when they cause trouble, we call them out and hold them accountable.

We do our best to give honest value to our residents, reinvesting our income into our properties to improve them and make them better. We try to provide a place that they feel like it's their home and not just a place to hang their hats. A place where they can thrive; not just survive.

Over the years, we have owned and lived in apartments in a variety of neighborhoods in Seattle with people from all sorts of cultural, ethnic and economic situations. In all of that time we have NEVER had to go to court to evict a resident. The eviction process has always been the "900-pound gorilla" that we've never had to release...but it has been a motivator for all of us to come together to find win-win solutions. It is my hope that we will continue to keep our record.

I'm puzzled and deeply concerned about the intentions of this bill. I'm wondering why the writers feel like they have to make sweeping changes to landlord-tenant law to address short-term needs in an emergency, like the one we are facing now. Rather than using a broad-brush approach, why not specifically target the specific needs that arise?

For instance, right now, everyone has been suffering negative impacts due to the shut down imposed by Gov. Inslee. Tenants who are having trouble paying their rent because of job cuts need help with their rent. If they get rental assistance and can meet their obligations, they don't need free lawyers or eviction protection, and landlords don't need help meeting their obligations. Problem solved...and the money goes to where it is actually needed...unless you have another agenda in mind that is not related to emergency eviction prevention.

I say this because this bill paints key issues with a broad brush, leaving unanswered questions about processes and limitations; when, where and how to apply these policies, and just as importantly, how they should NOT be applied.

For example: Section 5. (1) (a) states: "...a landlord must first offer the tenant a repayment plan that considers and is based on the individual financial, health, or other circumstances of the tenant's household and whether a tenant is able to meet their other necessary life-sustaining financial obligations after the requirements of a repayment plan, including payments for food, utilities, work-related expenses, child support, medical care, child care, or other similar necessities. "

There is no instruction in the bill as to exactly HOW this is to be carried out. And if I get it wrong, I face getting slapped with a penalty of up to 4-1/2 times the monthly rent!

So, am I supposed to gain access to the tenant's financial and employment records, do an audit and make a determination of their "life-sustaining obligations" to determine how much rent they can afford to pay? Or is the tenant supposed to make this determination and present it to me? Is there a form you provide for working this out?

Does housing fall at the end of this list of “life-sustaining obligations”? Am I, the property owner and housing service provider expected to maintain a safe and healthy living environment, pay taxes - to YOU - pay utilities, insurance, pay my mortgage, pay my employees, do the maintenance...all with no compensation?

How do you expect me to stay in business and continue to provide quality affordable housing under these conditions?

Please! DO NOT pass this bill into law.

QUESTIONS:

Why do I see you using a broad brush to paint landlords as villains and tenants as victims, when in fact that is not the case? Of course there are instances when that is true, but there are also instances where the reverse is true. Why not put the broad brushes away, along with these very general, sweeping bills, and bring a laser focus to bear on the actual problems?

Have you done a cost / benefit analysis of the long-term effects of this bill on future housing supply and availability? From where I sit, this policy poses a severe threat to small landlords and their ability to operate successfully in Washington.

Are 10-day notices to comply or vacate for violation of other Lease terms not related to COVID (e.g., damage to property or disturbing other tenants) still permissible under this bill?

What is your responsibility to bear the burden of the long term social and economic impacts of your policies?

Where do I send the bill for the damages I have suffered because of your policies? I don't want a pennies-on-the-dollar bone with strings attached that make the government a silent partner in my business.

Since you have inserted yourselves as a managing partner of our business through your draconian and very general policies, are you also assuming the risks and responsibilities of the consequences - both intended and unintended - of those policies?

If these policies are meant to target the effects of the COVID pandemic, why are they so general in scope that they permit widespread claims with little to no requirements for substantiation or penalties for overstepping the boundaries of the intent of these policies?

Where are the guarantees that after the pandemic emergency is over, that every emergency regulation will be cancelled and reset back to pre-pandemic status?

Where are the clear standards that state how and when this pandemic emergency will be considered to be over?

Where are the clear declarations of your plans to facilitate and fund recovery from the damages imposed by your emergency policies?

Where are the protections for landlords who suffer harm from tenants who use these regulations to leap the boundaries of pandemic effects and shirk their legal, contractual responsibilities as tenants?

Where are the protections for housing providers who face loss of their income and properties because they cannot meet their obligations to continue to pay taxes, mortgages, utilities, wages, maintenance and other costs of operating their businesses?

Where are your strategies and programs to help move landlords and tenants away from an adversarial relationship toward a collaborative partnership that helps to foresee and resolve conflicts in a mutually beneficial manner?

Why does the bill (Sec. 5 (2) (d)) "Prohibit repayment plans to include provisions or be conditioned on: compliance with the rental agreement..."? Does this mean that all of the terms of the rental agreement are out the window?

Respectfully,

Gordon Haggerty
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1/20/21

Jennifer Lekisch
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My name is Jennifer Lekisch and I am a small housing provider in King County. I have been a housing provider for 7 years and have 11 units. I have invested my life savings and retirement in my properties and take great pride in providing my tenants a wonderful and affordable place to live. SB 5160 will force me to sell my properties.

Please do not pass SB 5160. A blanket eviction ban sends the wrong message by allowing tenants without demonstrated or documented need to become elective non-payers and skip timely rent payments without penalty. I believe in helping those who are truly in need but you must tie demonstrated and documented need to the equation so that we can ensure that resources are going to those who truly need assistance. This can be done through accessing unemployment or other social service programs.

I had 1 tenant out of 11 who had problems paying his rent and we worked together on a solution. SB 5160 would have prevented this conversation.

Housing providers are not banks; we are not attorneys; and we do not have the resources to set up payment plans and collect money from tenants after they have vacated our properties. SB 5160 assumes that we have everlasting resources but this is not the case. Over 90% of the rent that I collect goes to pay property taxes, utility payments, general maintenance, and mortgages and the bulk of the rest goes towards tenant improvements.

Without rental payments housing providers cannot meet financial obligations. Instead of a blanket eviction ban the State should be directing resources to the small percentage of tenants who have demonstrated and documented need, such as those on unemployment or other social service programs.

Please do not pass SB 5160. Housing providers are a valuable resource and this bill will force us to go out of business. This in turn will hurt tenants by reducing the supply of affordable housing and will raise prices on the reduced supply of housing. Instead, please pass legislation that ties assistance to demonstrated and documented need so that we can better help those who truly need our help.

Thank you for your consideration.

1/20/21

Good morning members of the committee.

My name is Sherry Riesner. I am a licensed real estate broker and property manager, and the management of the firm where I work have approved my sharing these prepared remarks with you on behalf of our firm, Real Estate Investment Services.

We ask you to VOTE NO on SB 5160.

Our firm has been providing housing for over 30 years, predominately in Pierce County. We currently have 520 units under management, representing 141 housing providers.

Some of our residents were delinquent before the pandemic, and have simply chosen not pay their rent or make ANY payment arrangements, since they know there are essentially no consequences, and we cannot force them to seek rental assistance.

Many non-paying tenants are currently employed, and what is especially frustrating is that under the current state eviction moratorium TENANTS ARE NOT REQUIRED TO PROVIDE ANY DOCUMENTATION THAT THEY HAVE BEEN FINANCIALLY IMPACTED BY COVID. In contrast to the state, the Federal requirements for housing providers applying for PPP or EIDL funds is that they must demonstrate they have had a loss in revenue. It is unjust that tenants are not similarly required to demonstrate financial hardship, yet under the current state eviction moratorium, the full weight of a tenant's hardship is transferred to their housing provider.

One of our tenants, for example, made their last rent payment of \$1425 back on 12/31/2019, BEFORE THE PANDEMIC. Our eviction attorneys began serving them notices in February 2020, but could not proceed due to the moratorium. These tenants now currently owe OVER \$18,000 in unpaid rent and have made NO attempt to make a single payment in almost 1 full year. In addition to the loss in rent, the housing provider has been paying their Water, Sewer and Garbage expenses for the past year.

Since the pandemic began, we have been very proactive, twice a month providing our tenants with websites and contacts to obtain rent assistance and other resources. We have even offered to have them come to our office and we would help them apply using our computers. Many have not even tried to get help.

In 2020 our firm lost 18 units from our management portfolio, with many owners choosing to sell their properties in Washington, since with non-paying tenants and no way to enforce rent collection they cannot make their mortgage payments and meet their other financial obligations. I personally know MANY investors who are no longer buying rental property in Washington, and instead are acquiring rentals and providing housing units in OTHER states where they can earn a Return on their Investment rather than a loss and so much uncertainty.

As a Buyer's Agent, in the past I have helped clients purchase duplexes, triplexes, and fourplexes for investment, but I no longer have any clients looking to purchase properties here in Western Washington.

We have some housing providers who have even chosen to LEAVE THEIR UNITS VACANT during this time as a risk reduction strategy. It is cheaper for them to take a loss on the rent than risk being encumbered with a non-paying tenant, for whom they have to provide maintenance & utilities, as well as potential additional major repairs caused by the tenant; and the housing provider cannot evict, not only for non-

payment, but also for most other violations of their lease terms. In addition, under the proposed bill it is our understanding that we would no longer be able to pass the costs for eviction onto the tenant.

With all these burdens on property owners, why would anyone take the risk of providing housing in this unfair legal environment?

Even in a normal year there are plenty of unknowns and financial risks for a housing provider. Please do not add undue burdens onto housing providers that will have the unintended consequences of REDUCING the amount of available housing units in Washington.

Please Vote “No” on SB 5160 – and INSTEAD:

- 1) Provide the funding needed so the tenants’ rent can be paid; and the housing providers can continue to pay their mortgage, property taxes, maintenance and repairs, and afford to continue to provide CLEAN and SAFE housing in Washington state.

AND

- 1) Require tenants to provide documentation that they have had a significant loss in their average monthly income before requiring housing providers to make additional financial concessions, including their legal right to evict.

Thank you for your consideration.

Sherry Riesner

Real Estate Broker | Property Manager | Association Manager

“Creating Wealth Through Real Estate”

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1/20/21

Thank you, Chair and members of the Committee.

My name is Sarah Fried and I am here to ask for your NO vote on Senate Bill 5160 for several reasons.

I am a community manager at Canyon Park Apartments. In this community we provide housing for approximately 1000 residents in 300 apartments in Puyallup. I have witnessed so many changes in the last year, and many have actually been positive.

The language in this bill was most likely written to protect our residents, **but** there are too many provisions in the bill that have a negative impact.

- It concerns me that there is no clear definition or proof required of 'affected by COVID19'. While protections are being extended so broadly, I have had residents receiving large sums of grant money for past due rent while telling me they are not paying as they are saving to buy a house when this pandemic is over.
 - How does this protect our residents that need protecting?
- Secondly, the lack of clarity relating to payment plans is highly concerning. The inability to require payment within 60 days will only serve to allow a resident to get farther behind, setting housing providers and residents up for failure.
 - My residents and I have worked together and have been extremely successful throughout the last 10 months with communications and developing payments plans, to help keep residents out of spiraling debt. Since this is working, why a broad stroke and untested change?
- The inability to send notices after the expiration of the moratorium, on balances accrued during the moratorium, will be an administrative nightmare for our staff, and a confusing situation for our residents, as actual balances will not be correct. **A balance due is a balance due**. Mortgage bills certainly don't differentiate between 'public health crisis money due' and normal money due.

I could go on, but I will leave you with this, **I am a housing provider. I am here to protect and work together with my residents to keep them in their homes.** I do not believe that Senate Bill 5160 does this.

Again, **I urge you to Vote NO on Senate Bill 5160.** Thank you for the opportunity to speak with you today and I'm happy to answer any questions.

Sarah Fried

My name is Samantha Patterson. I am a single, small landlord in Seattle. On my mother's advice, I purchased three duplexes over a twenty-year period. I manage and maintain them myself.

The rental income is set to cover the mortgage payments, utilities, and periodic issues that come up when furnaces, plumbing, and appliances need replacing in these 70-year-old buildings. Until now the tenants have been responsible for their own housing costs.

One couple living in the largest and most expensive building in Madrona, stopped paying rent in June 2020. They won't respond to repeated attempts to negotiate a payment plan and have not provided any details or documentation of the hardship they are potentially experiencing. They have however continued to complain about the noise they hear from other tenants and have made continued requests for me to evict their neighbor.

These are two freelance attorneys that know the law and yet choose to use only the parts that serve them. They have played your lottery for assistance (despite being outside the income qualifiers) and have been successful in getting assistance from St Vincent.

They currently owe \$26,400. And they have added a guest to the home resulting in an additional 30% (\$200 per month) increase in water/sewer.

I cannot afford to keep covering their living expenses (and mine) for an additional two years, effectively covering three years. I need rental assistance.

With the potential of additional tenants not covering their living costs and **THIS BILL, not holding tenants responsible for providing proof of hardship, unemployment and further outlining how they must respond and a consequence to their not responding and covering their growing living expenses.**

I will be forced to take this home back, to live in, as a first step in saving my property from foreclosure. The banks have clearly outlined what will happen if my mortgage is not covered, my continued responsibility and the consequence if I don't cover the payment, I agreed to... just like the tenants.

I want to have a plan with my tenants... I have offered them a less expensive unit, and multiple possible payment plans, with literally no response. With the current moratorium guidelines, they are not held to respond or be responsible with any type of consequence.

I however have not been provided with any relief from:

- My bank mortgages
- Seattle property taxes
- Seattle Utilities
- Property maintenance (and upgrades) as dictated by ... The Rental Registration and Inspection Ordinance (RRIO) including the RRIO registration fee's
- Vacancies
- Rental assistance to cover tenants that are not paying
- Future litigation costs as I try to recover the losses, I've incurred to date

What other business are forced to give away their goods... this bill is not ready... it's unfair in the way it's written and needs revising to provide guidance that protects and guides the renter as well as the affordable housing provider.

Thank you

1/21/20 9:47AM

Cory Brewer, Deborah Case, Terry Farrah, Kin and Winnie Fung, Gael Goodwin, Gordon Haggerty, Margo Henson, Jules James, Jennifer Lekisch, Robert Myers, David Nagel, Sherry Riesner, Sarah Fried SB 5160

Dear Members of the committee,

My name is Cory Brewer, I am with a company that manages over 1,500 rental homes in Washington state. Most of these are a very unique and crucial element of the housing supply in that they are single-family houses.

Single family homes meet the needs for a lot of residents that apartment units do not, and the types of housing providers that we represent stand to be punished the most under the proposals being made in this bill.

I am in the thick of this every day and I have some real world data to share with you.

- There has been a very popular trend in the past year with people wanting to move out of in-city condos and apartments so they can find a larger suburban home (health concerns, working and schooling from home being major factors). This is a national, even global trend.
- The demand, or absorption rate for condos & apartments in Seattle fell by over 32% in 2020, a HUGE number. Meanwhile, the demand (absorption rate) for single-family houses on the Eastside increased by 24% another HUGE number.
- We also look at the supply, and every year we lose a certain number of clients for various reasons. In 2020, we saw a 33% rise in the number of clients closing their account with us because they are selling the rental home. In Seattle, that number spiked by over 48%.
- This is a very REAL result of the punitive legislation that you continue to push at the state level, and even more aggressively in the city of Seattle.

Who does this hurt? This hurts renters. We are seeing more applications from Section 8 voucher holders than ever before. Some of these families have no other choice, there are bedroom count requirements based on how many kids they have, and a 2 bedroom apartment in downtown Seattle is not an option for them. Ultimately this results in the renter population being punished because the already scarce supply of housing continues to shrink when policies like this, despite their good intentions, push investors out of the housing supply market. Ironically your tenant "protections" become counterproductive.

You are attempting a one-size-fits-all solution to address a problem that is NOT a one-size-fits-all problem. You should be ENCOURAGING private housing providers, NOT PENALIZING them. We are having the conversation more and more with prospective housing providers fearful of investing.

The biggest concern that we have when getting specific is the forced renewal of a fixed term lease. This amounts to government seizure of private property, and it's a completely unwarranted intervention into a private agreement between private parties that is mutually agreed to.

Lots of people are struggling and we WANT to help them. There is \$508 Million in housing relief funds that should be given to renters NOW so they can catch up on their bills, and housing providers can sustain the housing that they provide. After all, where would we be without the housing providers that we *do* have? Instead, your plan would be to funnel this money into the hands of eviction defense attorneys. Why don't we find a way to keep the idea of an eviction off the table completely?

Finally, the broad-stroke application of these proposed policies is lazy and ultimately that is what backfires on you. A software engineer making \$250k/year doesn't need "protection" against not paying rent or following the rules of their lease. You pin the burden solely on the housing provider, and again, you lose housing supply because of it.

If possible I would like to request a private meeting with any members of this committee to discuss further. I very much appreciate your approach, in that this is a work in progress and you are asking for suggestions. There is a misconception that the end of a term tenancy is an “eviction.”



Cory Brewer

Vice President – Residential Operations

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Hello,

Here's my story:

During my divorce 24 years ago, the judge awarded me an additional rental home in Fremont to allow me to provide long term support for my daughter who is handicapped and to relieve me of additional hardship and burden as a single parent.

I continue to be the sole guardian and a care provider for my daughter Katie, a 34 year old woman with severe cerebral palsy. Katie cannot sit, stand or roll over. She has normal cognition but needs 24/7 care (24/7) Katie uses a power chair to move about but because of muscle tone issues which involves her eyes as well, she needs someone with her at all times.. A lift system is used at my primary residence, (provided by the State of WA) so that she can be transferred into her chair. Katie is on Medicaid and has a college student (who I support at my primary residence since COVID)and is also a State paid caregiver for my daughter.

I cannot subsist on caregiver wages and Social Security without my rental business. Without long term support, my daughter will end up being placed outside of her home into a long term facility. Katie's older sister (38 yrs old) has MS. She lives in low income housing in Seattle. An out of home placement for Katie would be a cruel and crushing outcome for my family.

I need to keep my rental business running and not be at the mercy of laws that do not consider case by case situations. My life is extremely hard and demanding. My rental house is viewed by me as a great gift. Tenants are viewed by me as people who are allowing my family to stay intact and are treated with respect. .

My MIL tenant, occupied the premises 12/20 and refused to pay any rent, since April 2020 or consider a rent repayment plan at all. When I presented him with a rent repayment form (emailed to me by Kristen Glen, Attorney General's Office) this tenant called the police on me and claimed I was harassing him, pressuring him). He and his girlfriend, who were both working, eventually issued a repayment plan letter, stating a "\$ monthly plan and claimed they were protected by law to do so.

I do not consider myself a "victim" and am an advocate for my daughters. I work an excessive amount of hours weekly because of my caregiver and rental duties. I am depleting my savings as my rental has been renovated since the unit was finally abandoned.

. At 69 years of age, I still have a mortgage on my primary residence (\$237,000 left to pay). Without equipment support and caregiver support, my daughter would be an out of home placement, most likely a State run nursing facility. At the present time, I need a roof replacement on my primary residence and experiencing ceiling and wall damage in parts of the house.

My savings have been steadily depleted as my rental house has been vacate since Sept and I focused on improving my business property first, so that I can rent it and then deal with my primary residence repairs over time.

Since my divorce, I have not had any lapse with renting the upper 4 bedroom unit. With COVID, I rented the MIL to a man who took advantage of my life situation and COVID and within a 6 month period of time, drove the 4 tenants upstairs out, ran up utility bills, (which I still owe, (approx \$2,000.00). The utility bills were excessive because he had unauthorized exotic reptiles that were supported in a humid environment to his specifications. A heater and water pump was run with an open window during his tenancy, running up bills.

I allowed a dog and a fish tank. His exotic creatures included a very large sized tarantula, snakes, iguanas and several 80 gallon tanks of rare [fish.in](https://www.fishbase.org/) addition to his dog, his girlfriend's dog. He and his girlfriend smoked cigarettes and pot throughout the week and this infiltrated the up stairs. This is a nonsmoking household. An upstairs tenant (24 yrs of age) had a hard COVID recovery time because of the smoke and could not stay on. All the girls had expressed a desire to continue renting until the MIL tenant drove them out. He cursed and shouted at them and refused to pay his share of utilities from the months of April-Aug.

As part of his law suit ,(which slandered me, in horrific ways)he requested that I be prohibited from entering the front of the rental house in addition to the back of the rental house. This would have kept me from entering my rental and allowing him to take over my rental home. i I had 7 days to respond to his grossly false claims and stories. My responses to the court were hacked, and I had 7 1/2 minutes to verbally defend myself (via phone conference) since the judge could only view blank pages from me.

After I won the lawsuit (accusing me of violence and harassment (I am 5'1" and he is a very large, very loud man approx 6')

He sued me on 8/25/20. Prior to that this tenant called the police on me 4 times with false stories. He and his girlfriend boasted they were protected by the City of Seattle. He acted like an entitled, protected bully and was successful in hurting many people and continues to impact my life. My phone and two computers were hacked. I am still dealing with these issues to this day. It is psychologically draining. I cannot prove it is him but he worked as a "gamer" and had some "hacking" buddies. He told me he would "Punish me"

This tenant owes me \$12,000 in back rent plus \$2,000 in utilities. The house has been under renovation and hopefully will be on the market soon. My boyfriend and I painted the entire upstairs, as the walls were smoked stained and I have a limited budget.. It's been off the market since 9-1-20. I have used my personal savings to upgrade the rental but those savings were put aside to repair and now replace the roof on my primary residence. I am now on a holding pattern.

I believe in social justice, but not in one sided justice. I am an advocate rather than a victim. However, I cannot advocate for laws that do not consider who is being victimized. I, as a landlord, was and continues to be victimized by this individual. My former tenants, all lovely young professionals, became victims as well. This MIL tenant, played the role of victim, and under his belief of full protection from the City, victimized two households. Should we allow this to continue? Didn't we learn from the 2016 election what happens when only ONE SIDE is considered without any exceptions? Provide social justice bills that support, with an "open" mind, all sides. I am a survivor - but I have limited options. Please do not allow Bills to pass that will only have a skewed look at Landlords, that appears to be blatant discrimination.

Please leave options that consider individual lives within the context of the group.

Thank you.

Deborah Chase

My name is Terry Farrah. I live in the Ravenna neighborhood of Seattle and I own one rental property: a single-family home on a lot adjacent to my own home. I have rented out this property since 2015. My first set of tenants was a group of low income young adults. My tenants were able to afford living in Seattle because they shared this home, and I enjoyed making that possible for them.

When my tenants moved out during the pandemic I felt very anxious about replacing them. The unfortunate result of any eviction moratorium is that some tenants will stop paying rent entirely rather than pay what they can. I knew that this would make my life very unpleasant, especially since my rental is next to my own home. Further, I count on my monthly rental income to pay the mortgage, insurance, and maintenance on the property. Should my tenants stop paying rent, I would sell the home rather than deplete my retirement savings to pay these expenses

To reduce my risk, I increased the rent and required a good credit score, no prior evictions, and income 3x the rent. I'd prefer to make my rental available to people of lesser means, but the eviction moratorium, combined with Seattle's First In Time law, made stringent tenant screening criteria the only way I could guard against an untenable future. To be honest, the process of finding my next set of tenants was very stressful, and there were times that I considered selling the rental just so that I did not have to bear this anxiety. I've heard similar sentiments from other landlords

An eviction moratorium turns landlording into a game of roulette: the large majority of landlords will emerge unscathed, but a significant number will lose. The risk of losing is extremely distasteful to most small landlords. We will first try to reduce our risk with more selective tenant screening, exacerbating our housing crisis. And many of us will ultimately choose to get out of the landlord business and invest our money elsewhere. This would result in less rental housing available, another step backwards. For the collective good, the state must not burden landlords with this risk.

Terry Farrah

Hi, my name is Winnie Fung, my husband and I have 3 single houses and 3 duplexes. Due to my husband's health condition he retired at the end of 2014 at the age of 61. In order for us to be able to retire we transferred all our assets in California to Washington in 2015 and become a housing provider in Washington.

Our living expenses are paid by rental income, it cost us over one thousand dollars each month just for the medical bills. If the eviction ban is extended for 2 years, we have to sell all our properties in order to pay mortgages and our bills. Without rental income it is hard for us to live.

Please understand that most small housing providers they have mortgage, property taxes and insurance, etc. SB5160 will force us to sell our rental properties. I do not think it will solve the homeless issue.

I believe all the people working for property management companies will loose there jobs too due to no rental. That will create more unemployment.

Please reconsider passing the evection ban extension.

Thank you.

Kin and Winnie Fung

Dear Senators,

As a Seattle housing provider of over 30 years, I am contacting you in opposition to SB 5160. I've owned a small building of 30 rental units in Seattle, a building today in which I also now live. In prior years I've managed small rental properties of my own, as well as acting as a property manager for 1-2 other small property owners. Providing a safe, well-maintained, healthy, and peaceful environment is the primary purpose of my daily work so that lives and property are safe and happy places. In today's work from home environment this is more important than ever.

During these years I have worked with approximately 600 residents, approximately 60 of these were month-to-month leases; the remainder have been term leases which are almost always renewed at the end of the lease term if the residents wish. I have chosen to not renew leases for fewer than 20 residents, out of the 600 or so over the years, and only when key problems were not resolved with many friendly reminders.

In the last 30 years I have had 2 evictions – one about 28 years ago and the second 9 years ago. I collected on neither eviction and pursued them only to regain my property as the tenants refused to communicate, pay, or vacate. I avoid evictions like the plague, and only in these two when I exhausted all other avenues.

The 20 or so leases which have not renewed at my discretion were for serious breaches of lease terms and/or local, state, and fire codes posing potential or actual danger or threats to life or property, or where other occupants were negatively and repeatedly impacted by non-compliance. These include repeatedly violating no smoking policies creating health concerns for fellow residents and posing a fire hazard, disabling or tampering with smoke and carbon monoxide devices, repeated or egregious harassment of residents, workers, or myself, leaving common area door ajar allowing entrance by non-residents, failure to drive safely on the property, not cleaning in unit dryers regularly, or candles being left unattended. Each instance is where I felt the actions or non-compliance of lease conditions and/or City, State, or Fire codes had the actual or potential danger to lives and property, or significant waste or damage.

Under SB 5160 it will be impossible to address non-compliance where occupants are endangering themselves, occupants and pets, the property, and me. It fails to provide recourse of any sort to protect lives and property, harassment, or threats of violence. It fails to provide any requirement for occupants to comply with City, State, and fire codes and laws designed to protect lives and property.

People who don't work in the housing provider field, or those operating single-family housing, might not see much risk in this. However, those of us who work in the multifamily arena, particularly two stories or more, are hugely concerned about this. As a small time housing provider my limited experience, but over 30 years, serves as an example of the dangers.

As a small time female housing provider my ability to keep lives and properties is aided mostly by great occupants with whom I develop strong professional relationships. However, as with all aspects of society (and I am sure housing providers are included in this) a few occupants simply don't and won't abide by lease conditions – as well as codes and laws – designed to protect lives and property; laws and codes also designed to ensure occupants peaceful enjoyment of their home. And now their work place.

Here is what has occurred before I began offering expiring term leases. In each case the parties were Caucasians of varying ages, young to middle-age. I am saying this because this is not a race concern disguised as something else. It is directly tied to life and building safety and the absolute need to provide safety for people and property.

- In one instance, a tenant developed serious alcohol dependency, and moved an unauthorized occupant in, who began extinguishing multiple lit cigarettes on carpet and furniture. The apartment was filthy with human excretions – including blood. The tenant was in a month-to-month lease and only protections available to me were to serve a 10 Day Notices to Comply or Vacate and contact Social Services. I served a 10 Day notice and prayed the unit and building would not catch fire. Sadly, the tenant died in the unit of alcohol poisoning on the 9th Day of the 10 Day Notice. The unit required HazMat.
- In an instance, an applicant was denied based on credit, and became extremely belligerent upon being notified, showing up at the property. Six months later this applicant was the local news for shooting several people in at an apartment in Skyway (a small community south of Seattle) before driving to Mount Rainer, where he killed a Forest Ranger before dying of exposure. Had the applicant leased from me and been as belligerent as he was at application we could have experienced what the Skyway apartment did.
- The most extreme example was at a family apartment building when I was 16. A tenant drove his motorcycle into his ground floor apartment, put food on the stove at 1:00 AM, and then fell asleep. His unit caught fire, and 12 units of a 57 unit apartment building were completely destroyed by fire, with many others damaged.

The only reason people didn't die is because the apartment manager, her daughter and son-in-law, and my brother ran all 5 floors of the building, knocking on doors to get people out. Smoke was so thick on the final floor they could not see ahead of them,

The Fire Department arrived later, reportedly leaving at the first arrival because they could not see the fire on the downhill bank of the property, and thought the call was a prank. Fire policy reportedly changed after this.

- In two instances after I began offering terminating leases with an option to renew based on lease compliance for the reasons stated above, two were for residents that directly and repeated harassed me and people in my employ via phone calls and emails.

These are extreme examples of occupants failing to abide by lease conditions. Yet, it's precisely because they are so extreme, and yet as a small housing provider I have experienced all. The ability to not renew a lease where there is non-compliance with lease conditions, codes, and laws has been critical to my ability to provide a safe, healthy, and well-maintained environment on which many depend. Please vote no on SB 5160.

Thank you,
Gael Goodwin

Thank you for this opportunity to testify in opposition to SB5160.

My name is Gordon Haggerty, and I've been an affordable housing provider for over 50 years. I got into the business because I needed affordable housing myself...and I still do. We have a family-owned and operated business, and we treat our residents as family. That means we give them the same kind of respect, attention and service that we would give any family member, AND we also expect them to care for the property and fellow residents as they would their own family members - including meeting their obligations. When they get into trouble, we work with them to resolve their problem, and when they cause trouble, we call them out and hold them accountable.

We do our best to give honest value to our residents, reinvesting our income into our properties to improve them and make them better. We try to provide a place that they feel like it's their home and not just a place to hang their hats. A place where they can thrive; not just survive.

Over the years, we have owned and lived in apartments in a variety of neighborhoods in Seattle with people from all sorts of cultural, ethnic and economic situations. In all of that time we have NEVER had to go to court to evict a resident. The eviction process has always been the "900-pound gorilla" that we've never had to release...but it has been a motivator for all of us to come together to find win-win solutions. It is my hope that we will continue to keep our record.

I'm puzzled and deeply concerned about the intentions of this bill. I'm wondering why the writers feel like they have to make sweeping changes to landlord-tenant law to address short-term needs in an emergency, like the one we are facing now. Rather than using a broad-brush approach, why not specifically target the specific needs that arise?

For instance, right now, everyone has been suffering negative impacts due to the shut down imposed by Gov. Inslee. Tenants who are having trouble paying their rent because of job cuts need help with their rent. If they get rental assistance and can meet their obligations, they don't need free lawyers or eviction protection, and landlords don't need help meeting their obligations. Problem solved...and the money goes to where it is actually needed...unless you have another agenda in mind that is not related to emergency eviction prevention.

I say this because this bill paints key issues with a broad brush, leaving unanswered questions about processes and limitations; when, where and how to apply these policies, and just as importantly, how they should NOT be applied.

For example: Section 5. (1) (a) states: "...a landlord must first offer the tenant a repayment plan that considers and is based on the individual financial, health, or other circumstances of the tenant's household and whether a tenant is able to meet their other necessary life-sustaining financial obligations after the requirements of a repayment plan, including payments for food, utilities, work-related expenses, child support, medical care, child care, or other similar necessities. "

There is no instruction in the bill as to exactly HOW this is to be carried out. And if I get it wrong, I face getting slapped with a penalty of up to 4-1/2 times the monthly rent!

So, am I supposed to gain access to the tenant's financial and employment records, do an audit and make a determination of their "life-sustaining obligations" to determine how much rent they can afford to pay? Or is the tenant supposed to make this determination and present it to me? Is there a form you provide for working this out?

Does housing fall at the end of this list of “life-sustaining obligations”? Am I, the property owner and housing service provider expected to maintain a safe and healthy living environment, pay taxes - to YOU - pay utilities, insurance, pay my mortgage, pay my employees, do the maintenance...all with no compensation?

How do you expect me to stay in business and continue to provide quality affordable housing under these conditions?

Please! DO NOT pass this bill into law.

QUESTIONS:

Why do I see you using a broad brush to paint landlords as villains and tenants as victims, when in fact that is not the case? Of course there are instances when that is true, but there are also instances where the reverse is true. Why not put the broad brushes away, along with these very general, sweeping bills, and bring a laser focus to bear on the actual problems?

Have you done a cost / benefit analysis of the long-term effects of this bill on future housing supply and availability? From where I sit, this policy poses a severe threat to small landlords and their ability to operate successfully in Washington.

Are 10-day notices to comply or vacate for violation of other Lease terms not related to COVID (e.g., damage to property or disturbing other tenants) still permissible under this bill?

What is your responsibility to bear the burden of the long term social and economic impacts of your policies?

Where do I send the bill for the damages I have suffered because of your policies? I don't want a pennies-on-the-dollar bone with strings attached that make the government a silent partner in my business.

Since you have inserted yourselves as a managing partner of our business through your draconian and very general policies, are you also assuming the risks and responsibilities of the consequences - both intended and unintended - of those policies?

If these policies are meant to target the effects of the COVID pandemic, why are they so general in scope that they permit widespread claims with little to no requirements for substantiation or penalties for overstepping the boundaries of the intent of these policies?

Where are the guarantees that after the pandemic emergency is over, that every emergency regulation will be cancelled and reset back to pre-pandemic status?

Where are the clear standards that state how and when this pandemic emergency will be considered to be over?

Where are the clear declarations of your plans to facilitate and fund recovery from the damages imposed by your emergency policies?

Where are the protections for landlords who suffer harm from tenants who use these regulations to leap the boundaries of pandemic effects and shirk their legal, contractual responsibilities as tenants?

Where are the protections for housing providers who face loss of their income and properties because they cannot meet their obligations to continue to pay taxes, mortgages, utilities, wages, maintenance and other costs of operating their businesses?

Where are your strategies and programs to help move landlords and tenants away from an adversarial relationship toward a collaborative partnership that helps to foresee and resolve conflicts in a mutually beneficial manner?

Why does the bill (Sec. 5 (2) (d)) "Prohibit repayment plans to include provisions or be conditioned on: compliance with the rental agreement..."? Does this mean that all of the terms of the rental agreement are out the window?

Respectfully,

Gordon Haggerty
2310 Yale Apts., LLC
2310YaleApts@gmail.com
Mobile/Text: 206-228-0468

I have two single family rentals with the same tenants in place for seven and twelve years. I charge less than market rent to maintain these long standing relationships. I'm an attentive housing provider and believe that small landlords provide more under market housing than most cities in Washington.

This bill sets up an antagonistic scenario between housing providers and tenants. None of us need more of this in our lives. It is better to help tenants if they run into trouble right away with paying their rent. It's more empowering to everyone to provide a helpful solution rather than one that promotes anger and possibly feeling downtrodden by the system you are proposing. Better to help both sides with a positive program that offers solutions to everyone.

I may not re-rent my properties when the current tenants leave due to the uncertainty of what the states might do as illustrated in this proposed bill. Selling my properties will remove two more houses that will not be available to the tenants in our area. Please look at your choices and make different ones to help all of us.

Thank you.

Margo Henson
(206) 784-6627

Chairperson Kuderer:

I own a triplex in the Eastlake neighborhood of Seattle. In November a unit came open and I'm leaving it vacant because of the existing eviction moratorium. I'm not alone among landlords.

As an owner-operator landlord, I can't take the emotional risk of a new tenant who stops paying rent to make a political statement, or took occupancy knowingly to steal rent money, knowing there are no consequences for a long undefined time. At the outset of the COVID emergency, I offered my tenants a 25% rent discount for three months. All of us survived the initial hardships and we have adjusted to work-at-home realities. The eviction moratorium has no effect on them. But it does on future tenants.

SB-5160 extending the eviction moratorium until "the end of the COVID emergency" will not help existing tenants in financial distress. Postponing the hard decision to downsize, to move in with family, or to leave an area to find a better balance of gainful employment and housing costs only will dig the holes deeper and postpone recoveries longer.

SB-5160 is mis-guided to believe evictions can play out to their necessary conclusions at an opportune time. Every eviction is always an emergency. Right now, many of the tenant population behind in rent likely can negotiate for a soft landing with no debt or legal consequence. If SB-5160 extends the tenant "emergency", and these debts accrue many more months, Washington State can expect far more evictions than soft landings.

I am opposed to SB-5160.

Jules James
Louisa Street Properties
117 E. Louisa Street #551
Seattle, WA 98102
206-329-1885

Jennifer Lekisch
2715 Queen Anne Avenue North
Seattle, WA 98109
jennifer@lekish.com
907-382-8888

My name is Jennifer Lekisch and I am a small housing provider in King County. I have been a housing provider for 7 years and have 11 units. I have invested my life savings and retirement in my properties and take great pride in providing my tenants a wonderful and affordable place to live. SB 5160 will force me to sell my properties.

Please do not pass SB 5160. A blanket eviction ban sends the wrong message by allowing tenants without demonstrated or documented need to become elective non-payers and skip timely rent payments without penalty. I believe in helping those who are truly in need but you must tie demonstrated and documented need to the equation so that we can ensure that resources are going to those who truly need assistance. This can be done through accessing unemployment or other social service programs.

I had 1 tenant out of 11 who had problems paying his rent and we worked together on a solution. SB 5160 would have prevented this conversation.

Housing providers are not banks; we are not attorneys; and we do not have the resources to set up payment plans and collect money from tenants after they have vacated our properties. SB 5160 assumes that we have everlasting resources but this is not the case. Over 90% of the rent that I collect goes to pay property taxes, utility payments, general maintenance, and mortgages and the bulk of the rest goes towards tenant improvements.

Without rental payments housing providers cannot meet financial obligations. Instead of a blanket eviction ban the State should be directing resources to the small percentage of tenants who have demonstrated and documented need, such as those on unemployment or other social service programs.

Please do not pass SB 5160. Housing providers are a valuable resource and this bill will force us to go out of business. This in turn will hurt tenants by reducing the supply of affordable housing and will raise prices on the reduced supply of housing. Instead, please pass legislation that ties assistance to demonstrated and documented need so that we can better help those who truly need our help.

Thank you for your consideration.

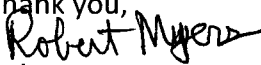
I disapprove of SB 5160 as it is in this form.

I am a 2nd generation landlord in the Seattle area and have provided single family housing at a reasonable cost for over 45 years. I grew up working on my with my parents rentals showing how hard work benefits both the renter with a good place to live, and the landlord with a source of income for their family. I am retired and the rentals that I have provide my living expenses. If a renter stops paying their rent and or utilities, it is a major dent in my livelihood.

Over the years I have personally worked with my renters who have not been able to pay their rent but never do they get caught up. My longest renter had been with me for 35 years. As a widow she had moved in with her 12 year old son and wanted to call this house her own. She did not want a hand out but worked to take care of the house and did what she could. For the last 5 years she was too frail to work and could not afford to pay rent, but did pay her utilities. We treated her like a grandmother and let her stay there until she had to go to an assisted living home, and passed away a short time later.

I have experienced renters who have abused the situation. When their 1 year lease had expired, they asked for a lower rent for two months because of job loss, and it was granted. Then after paying the normal rent on the third month they turned in their notice to move out as they had bought a house. As it turned out they used the two months of lower rent to lower their debt to income ratio so they could qualify for the new house loan.

To solve this problem you have to provide rental assistance for the renters that care enough to take care of the rental and do not cause need for an eviction. Eviction is the last resort that a landlord uses only when necessary. An **Eviction Ban for 2 years after the end of the emergency period** is punishing the majority of good landlords who are trying to help. Many renters will take advantage of the ban and stop paying rent simply because they can without consequences.

Thank you,

Robert Myers
17122 SE 339th St
Auburn, WA 98092
RHAWA member

Date: January 18, 2021

To: The Senate Housing and Local Government Committee; Senators Kuderer, Lias, Conway, Das, Lovelett, Saldana, and Wilson, plus Fortunato, Gildon, Short, Cleveland and Warnick

From: David Nagel (47th District)

Subject: Vote **NO** on Senate Bill (SB) 5160, "Landlord-tenant Relations"

As a small housing provider, I am opposed to Senate Bill 5160 "Landlord-tenant Relations".

Contrary to popular belief, the overwhelming majority of rental housing owners are not "greedy corporate Wall Street investors", but instead are small business owners who work day jobs and own rental housing for a long-term retirement investment, and these small housing providers like myself are also suffering from the effects of the COVID-19 pandemic. I take pride in being a part of "stewards of the community" by providing safe and comfortable housing to others.

I do not support the measures as written in Senate Bill 5160 "Landlord-tenant Relations".

I am opposed to many parts of SB 5160, but the worst is that SB 5160 mandates that housing providers renew any rental agreement or month-to-month tenancy for 2 years after the end of the emergency period ends, unless the property owner sells the unit, or moves into the unit themselves (SB 5160, lines 14 through 37 of page 3, and lines 1 and 2 of page 4).

This part of SB 5160, and many other parts of this bill, will have a devastating effect on me as a small housing provider. I am already strapped financially from increasing costs (as an example, my property tax bill increased by 20 percent in the year 2020, and the Water, Sewer, and Garbage bill increased by almost 100 percent), and also by missing rental income for year 2020. I, like many other small housing providers, are desperately searching for a way so their units will create income to pay taxes, utilities, the mortgage, and also pay for the repairs and maintenance needed to provide a safe and comfortable home for the residents who live in the building.

Also, allow me give you another example of why Senate Bill 5160 would be detrimental to affordable housing and our community: both of my adult daughters own a home. One owns a home in Renton, Washington, and the other in Puyallup, Washington. Both of my daughters would like to invest in an "ADU", or Accessory Dwelling Unit, in their back yards. My daughter's Renton house backs to an alley. The city of Renton has streamlined the permitting process for an ADU, if a pre-approved architecturally designed plan is chosen. Yet, my daughter will not take out a \$200,000.00 to \$300,000.00 loan to begin the construction, even with today's low interest rates. Why? Because she is too worried that state and local laws, such as Senate Bill 5160 will make it impossible for her to profit from the risk and hard work she that would take. My other daughter, who owns a home in Puyallup, wants to build an ADU to rent

because her home is in close proximity to the local community college, and she could rent the ADU to college students.

In both cases, each of my two adult daughter's actions would help the community. Both kids would increase affordable housing with their hard work, and by taking a big financial risk. But because of proposed laws such as Senate Bill 5160, neither of my kids is willing to do so.

Let me indicate how much work it is to own rental property: Below you will find photos of a vacant apartment that I recently refurbish to return to the rental market:

Photo 1- Year 2020 apartment in refurbishment, cleaning, new paint:



Photo 2- Year 2020 apartment in refurbishment, tools, ladders, new paint:



Photo 3- Year 2020 apartment in refurbishment; refinish kitchen cabinets, new paint, new flooring:



The photos of my work show my tools, my effort, and my time, during the vacancy. The new residents will enjoy a comfortable and safe home.

Yet the many adverse parts of Senate Bill 5160, which are detrimental to a small housing provider like myself, will almost certainly condemn me with no way to pay the bank mortgage, the state property taxes, the utilities, and continued repair and upkeep.

In conclusion, I am opposed to the damaging aspects to Senate Bill 5160. The proposed changes to the state law hurts me as a small housing provider, it lowers my ability to pay property taxes, utilities, and lessens the possibility of a strong and vibrant local community. As mentioned in this letter, the younger generation of investors will see owning a small rental business as a “no win / no way” proposition.

Please vote **no** to the proposed changes as written in Senate Bill 5160.

Thank You for your time.

Sincerely

David Nagel
Kent, Washington
47th District

Good morning members of the committee.

My name is Sherry Riesner. I am a licensed real estate broker and property manager, and the management of the firm where I work have approved my sharing these prepared remarks with you on behalf of our firm, Real Estate Investment Services.

We ask you to VOTE NO on SB 5160.

Our firm has been providing housing for over 30 years, predominately in Pierce County. We currently have 520 units under management, representing 141 housing providers.

Some of our residents were delinquent before the pandemic, and have simply chosen not pay their rent or make ANY payment arrangements, since they know there are essentially no consequences, and we cannot force them to seek rental assistance.

Many non-paying tenants are currently employed, and what is especially frustrating is that under the current state eviction moratorium TENANTS ARE NOT REQUIRED TO PROVIDE ANY DOCUMENTATION THAT THEY HAVE BEEN FINANCIALLY IMPACTED BY COVID. In contrast to the state, the Federal requirements for housing providers applying for PPP or EIDL funds is that they must demonstrate they have had a loss in revenue. It is unjust that tenants are not similarly required to demonstrate financial hardship, yet under the current state eviction moratorium, the full weight of a tenant's hardship is transferred to their housing provider.

One of our tenants, for example, made their last rent payment of \$1425 back on 12/31/2019, BEFORE THE PANDEMIC. Our eviction attorneys began serving them notices in February 2020, but could not proceed due to the moratorium. These tenants now currently owe OVER \$18,000 in unpaid rent and have made NO attempt to make a single payment in almost 1 full year. In addition to the loss in rent, the housing provider has been paying their Water, Sewer and Garbage expenses for the past year.

Since the pandemic began, we have been very proactive, twice a month providing our tenants with websites and contacts to obtain rent assistance and other resources. We have even offered to have them come to our office and we would help them apply using our computers. Many have not even tried to get help.

In 2020 our firm lost 18 units from our management portfolio, with many owners choosing to sell their properties in Washington, since with non-paying tenants and no way to enforce rent collection they cannot make their mortgage payments and meet their other financial obligations. I personally know MANY investors who are no longer buying rental property in Washington, and instead are acquiring rentals and providing housing units in OTHER states where they can earn a Return on their Investment rather than a loss and so much uncertainty.

As a Buyer's Agent, in the past I have helped clients purchase duplexes, triplexes, and fourplexes for investment, but I no longer have any clients looking to purchase properties here in Western Washington.

We have some housing providers who have even chosen to LEAVE THEIR UNITS VACANT during this time as a risk reduction strategy. It is cheaper for them to take a loss on the rent than risk being encumbered with a non-paying tenant, for whom they have to provide maintenance & utilities, as well as potential additional major repairs caused by the tenant; and the housing provider cannot evict, not only for non-

payment, but also for most other violations of their lease terms. In addition, under the proposed bill it is our understanding that we would no longer be able to pass the costs for eviction onto the tenant.

With all these burdens on property owners, why would anyone take the risk of providing housing in this unfair legal environment?

Even in a normal year there are plenty of unknowns and financial risks for a housing provider. Please do not add undue burdens onto housing providers that will have the unintended consequences of REDUCING the amount of available housing units in Washington.

Please Vote “No” on SB 5160 – and INSTEAD:

- 1) Provide the funding needed so the tenants’ rent can be paid; and the housing providers can continue to pay their mortgage, property taxes, maintenance and repairs, and afford to continue to provide CLEAN and SAFE housing in Washington state.

AND

- 1) Require tenants to provide documentation that they have had a significant loss in their average monthly income before requiring housing providers to make additional financial concessions, including their legal right to evict.

Thank you for your consideration.

Sherry Riesner

Real Estate Broker | Property Manager | Association Manager

“Creating Wealth Through Real Estate”

Email: SherryR@REISInvest.com

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Thank you, Chair and members of the Committee.

My name is Sarah Fried and I am here to ask for your NO vote on Senate Bill 5160 for several reasons.

I am a community manager at Canyon Park Apartments. In this community we provide housing for approximately 1000 residents in 300 apartments in Puyallup. I have witnessed so many changes in the last year, and many have actually been positive.

The language in this bill was most likely written to protect our residents, **but** there are too many provisions in the bill that have a negative impact.

- It concerns me that there is no clear definition or proof required of 'affected by COVID19'. While protections are being extended so broadly, I have had residents receiving large sums of grant money for past due rent while telling me they are not paying as they are saving to buy a house when this pandemic is over.
 - How does this protect our residents that need protecting?
- Secondly, the lack of clarity relating to payment plans is highly concerning. The inability to require payment within 60 days will only serve to allow a resident to get farther behind, setting housing providers and residents up for failure.
 - My residents and I have worked together and have been extremely successful throughout the last 10 months with communications and developing payments plans, to help keep residents out of spiraling debt. Since this is working, why a broad stroke and untested change?
- The inability to send notices after the expiration of the moratorium, on balances accrued during the moratorium, will be an administrative nightmare for our staff, and a confusing situation for our residents, as actual balances will not be correct. **A balance due is a balance due**. Mortgage bills certainly don't differentiate between 'public health crisis money due' and normal money due.

I could go on, but I will leave you with this, **I am a housing provider. I am here to protect and work together with my residents to keep them in their homes.** I do not believe that Senate Bill 5160 does this.

Again, **I urge you to Vote NO on Senate Bill 5160.** Thank you for the opportunity to speak with you today and I'm happy to answer any questions.

Sarah Fried

I'm Tara, 1 of the 40 thousand renters in Bellingham, asking you to keep renters housed through this pandemic by passing SB5160. I'm a single mom of three kids who live with me full time. I am a teacher and earn just under \$50K. This year, I couldn't find work in the summer. In March 2020, I moved with my kids into a new house, because we were threatened with a no-cause eviction in February. I got pneumonia in April and May but couldn't get a CoViD-19 test until June. I always prioritize my rent over all other bills coz I know we don't have another place to go if we lose our housing. I'm current on rent but I spent all \$5000 of my savings and owe another \$7000 so I could pay my rent, utilities, and medical bills. I'm going into debt so my landlord can have his full income. That's not a fair balance. We need these evictions protections because if I lose my job tomorrow, I can't pay rent in full, and support my family's basic needs. Even if my landlord is patient for a month or two, I know I wouldn't find an equal paying job in this gutted economy.

Dear Senate:

My name is Kelly Shilhanek, and I am a resident of Bellingham and live in Whatcom County. I am writing to strongly encourage you to support Senate Bill 5160 that will protect families from evictions caused by the economic damages of this pandemic.

As a middle school paraeducator, I know that the students I support will benefit from passing SB 5160. I work in the Burlington School District, and the majority of our students are students of color. Because of systemic racism, families of color- especially Black and Latinx families- have been disproportionately impacted by illness due to COVID-19 and the economic downturn (). That means that many of my students' families are worried about paying rent next month, whether that's due to missed wages because of COVID or lower income due to lost work. Students are already struggling to keep up with the demands of virtual learning- they do not need another stressor like foregoing food or other survival needs to pay rent to negatively impact their learning. Pass SB 5160 so that families have the right to a payment plan and stability in their housing.

As a paraeducator that provides Special Education services and supports students with learning disabilities, I know passing SB 5160 will help my already struggling students survive this pandemic. The virtual learning model is challenging, and requires many skills that many of my students are still developing. Often it is the relationship we have cultivated with students and their families that help motivate them to show up to online classes, support sessions, and in-person tutoring. However, my students are predominantly students of color, which means that their families are more likely to be renters and to be impacted economically by COVID-19. Without SB 5160, they are disproportionately more likely to get evicted, which often leads to severed relationships between students, peers, and educators, missed school work, and added household stress. My students deserve all the support they can get- not the threat of eviction and the negative academic outcomes it would cause. Pass SB 5160 to prevent evictions and widening inequitable academic outcomes among students of color.

Last, as a white, middle-class woman, I know that if I was a student right now, I would emerge from this pandemic virtually unscathed. Protected by the privilege of my racial identity and my family's home, I would have continued to be academically successful, unmarked by the economic stressors that so many working-class, families of color are experiencing due to systemic racism and economic injustice. But that's not right- students from all race and class backgrounds have the right to a quality public education that prepares them to contribute to society and to live a meaningful life. In order to do that, we must ensure that students have what they need to be successful, which includes stable housing- especially during a pandemic. Pass Senate Bill 5160 to ensure a more just public education system in Washington State.

Thank you for protecting Washington families from eviction during this pandemic.
Sincerely,
Kelly Shilhanek

Greetings Washington state legislators,

It is vital that we strengthen eviction protections related to the public health emergency of COVID-19 (WA SB5160), and that we temporarily freeze rent increases (WA SB5139). As a resident and health care worker of Whatcom County, I have seen so many individuals suffer emotionally, mentally and physically when they did not have safe and secure homes. I have also experienced and seen how the rising cost in rent cost makes it increasingly difficult to afford anything else, impacting overall well-being.

Living on the streets or in shelters can be dangerous situations for many reasons, and that risk only increases when folks are unable to safely socially-distance and/or have compromised immune systems (often impacted by stress). Also, I have seen that when folks are houseless, unable to meet their basic needs or unable to even enjoy life because they are barely getting by, they also become more hopeless and suicidal – the statistics confirm this. Housing is a public health issue. It is imperative that we ensure our neighbors have safe housing, and enough left over to afford other basic needs like food, transportation and utilities.

Thank you for your time,

Kat David

Thank you for considering my comments in opposition to HB 5160. I attempted to comment live this morning but didn't make it through the queue.

My parents have been in the apartment rental business almost 60 years. They started with a small triplex and now own three small multifamily buildings and two duplex, 40 units in all. The properties are in Renton close to Renton Boeing. My parents have been through many challenges; they have had fires, deaths of tenants, tenants who drove into the building, power outages, leaks; and worst of all the exodus from Seattle in the 70s when they had over a 20 percent vacancy rate coupled with high mortgages. Of all challenges they faced Covid-19 has proved the most difficult. In addition to dealing with the health impacts of a pandemic Covid-19 has the added pressure of an eviction ban which limits our ability to raise rents, sanction tenants who break property rules, or as a last resort evict tenants who have not paid rent for months.

We understand that Covid-19 is requiring sacrifices for everyone. However, landlords seem to be the one group upon whom the state placed a burden on without any thought for relief.

We oppose SB 5160. An extended eviction ban places an onerous and unfair burden on landlords. In addition, it places some tenants in a position to accrue debt they will never be able to repay. Eventually, this debt will be borne by landlords not the tenants that owe the debt.

We are fortunate as we only have two tenants who are in arrears, one who hasn't paid rent since the ban went into effect and the other since July of last year. We have had other tenants get behind, but we have worked with them and they are now current. However, the tenants who owe rent have no incentive to work with us as they are free to continue their residency. It is my expectation that should SB 5160 be enacted these tenants would take advantage of the full term of this ban. I cannot imagine how we would ever be able to regain our lost rent. It is doubtful we will be paid the \$20,000 we are now owed.

As the committee considers The Bill I would ask you to consider the following:

- Landlords are not in the business of eviction. It is in our best interest to keep tenants as long as possible. Turnover is costly in maintenance, repairs, and loss of rent during the transition. This is especially costly for small landlords as we don't have a full-time crew to handle these things. For example, when tenants move the walls have to be painted, the carpets cleaned, small things fixed i.e., closet doors that squeak. If the tenant has lived there a long time carpets need to be replaced, faucets or sinks need to be changed out etc. It is in a landlord's best interest to keep tenants as long as possible.

- Owning property has expenses. Either rentals are new and don't require much maintenance but are burdened with a mortgage, or they are older where a mortgage isn't as much of an issue, but maintenance is. There are always costs.
- Landlords must constantly reinvest in their property to keep it habitable a competitive in the market. We have costs that COVID-19 hasn't delayed. We must pay insurance, property taxes, maintenance, landscaping, repair or replace appliance as needed. I would also add our property taxes increase an average of 30% each year. In a good market we are unable to fully increase rent to cover this increase. There are also capital expenses, i.e. roof repair, painting, siding, exterior upkeep such parking area striping or removal and replanting of dead shrubs and trees. We have been able to keep maintaining our properties, but we have definitely pushed out major repairs due to COVID-19. One of our buildings requires a significant plumbing rework, another needs painting and some exterior upkeep both projects are on hold until after our income situation becomes more certain.
- The state has essentially forced landlords into becoming homeless shelters. At the same time the state offers no support for those efforts. Ironically, if we were operating homeless shelters we could ask people to leave if they don't follow the rules. Landlords can not do this. We have no ability to manage our properties and protect our good tenants because we have no recourse to deal with a bad tenant.
- Eviction is a last straw, and we have to be pushed to the extreme to use this remedy. In 55 years my family has evicted less than 8 people. In every case they were significantly in arrears in their rent and in a few cases had done significant damage to the unit once they moved out. We never recouped the cost of those losses.

Current legislation seems to treat landlords as an untapped resource for state assistance, almost as if landlords are privileged to undeserved income. Nothing could be further from reality. My parents built this business over many years and hard work. They still worked full time jobs and maintained, cleaned, painted and did yard work for 30 years before they could start to pay others to help. We still work 24-hour jobs as tenants have issues 24 hours a day, our business has many expenses and general headaches. It takes a special personality to be a landlord and want to work with tenants. It is not an easy job and bills like SB5160 will drive small landlords to sell their property and move into another business. We need small landlords especially folks like my parents who have been in business a long time. Our rents are generally lower than larger corporate owned businesses and we are more flexible with out tenants as well. If the state truly wants lower priced housing, then it should value small landlords. However, the considerably burdens being placed on us are driving us out of business.

After further review of SB 5160 it seems this is really two bills, one for tenant legal assistance and one to deal with eviction mechanics.

In terms of offering legal assistance to tenants I would remind the Committee that landlords have to provide their attorneys at a cost. We do not get lawyers provided for us. It is an

additional cost that makes eviction something to be avoided. In all cases when we have evicted a tenant it is after many attempts to work with a tenant and we have just not been paid. In such a case I can't imagine what help an attorney would be to avoid unlawful detainer. Assistance at the point of the 14-day notice would be more effective in avoiding eviction.

This bill would also be of more effect to offer rental assistance directly to the landlord. We have worked with Catholic Community Services on many occasions for assistance to our tenants. They do not pay the tenant but send the check directly to us. This makes certain the funds are used for rent as intended and not rerouted by the tenant for other uses.

The payment plan requirements in the Bill also need work. They are too vague and do not provide any penalties for tenants who fail to repay their debt. It also lacks a requirement for a reasonable plan. The tenant can promise to pay a dollar a month forever and the landlord must accept it. There should be a minimum or percentage of rent owed requiring repayment. There is also no provision for the tenant to maintain the program should they move out. It is our expectation we will never be repaid for any amount over \$5,000. Once tenants get that far behind they will default on the debt and move on.

Again, I urge the Committee to keep working on this bill and not place the sole burden for avoiding homelessness on landlords.

Thank you again for your consideration.

Nora Schultz

From: [Popovac, Brandon](#)
To: [Riffer, Alison](#); [Gilster, Liliana](#)
Subject: FW: Additional Tenant Testimonies on SB 5160
Date: Wednesday, January 20, 2021 8:19:03 PM
Attachments: [Outlook-3mqwx51e.png](#)

More for bill file – thanks!

From: John Stovall <johns@wliha.org>
Sent: Wednesday, January 20, 2021 6:39 PM
To: Kuderer, Sen. Patty <Patty.Kuderer@leg.wa.gov>; Mahgoub, Noha <Noha.Mahgoub@leg.wa.gov>; Popovac, Brandon <Brandon.Popovac@leg.wa.gov>; Lavoy, Tanya <Tanya.Lavoy@leg.wa.gov>
Cc: Michele Thomas <michelet@wliha.org>
Subject: Additional Tenant Testimonies on SB 5160

CAUTION: External email.

Hi Sen. Kuderer,

I wanted to follow up with a few more tenant testimonies from the Bellingham Tenants Union to add to the official record. Please see linked below:

https://docs.google.com/document/d/1C0u7vYV8UbUePIPoTIKH6L1uFZoeDOIZMUos_NuW3J4/edit?ts=60088280

Sincerely,

John Stovall

He/Him/His

Member Organizer

Washington Low Income Housing Alliance

(706)247-3949

www.wliha.org

CLICK HERE TO REGISTER!

**HOUSING AND HOMELESSNESS
ADVOCACY DAYS**

FEBRUARY 8-12, 2021

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#HHAD2021



CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Glenn Wells](#)
To: [Gilster, Liliana](#)
Subject: SB-5160
Date: Wednesday, January 20, 2021 1:14:31 PM

CAUTION: External email.

To whom it may concern:

I am opposed to this bill. I am an architect and member of Fourth Street Housing, LLC, an entity that owns Merritt Manor (completed in 2019), an 82 unit affordable housing project. It is one of the few completely private sector affordable housing projects in the State. We have priced our units at 60% of median income for Thurston County and lease to tenants that are between 60 & 80% of median income.

After listening to the testimony today, it is clear that there is a certain percentage of people that will try and take advantage of this bill without cause.

There are many ways that families can get behind in rent outside the challenges of the pandemic; their car breaks down, they become break a bone in a sporting event, their child gets sick, (outside of COVID). Keep in mind that most of our families are paycheck to paycheck, so one hiccup and it could spell trouble.

We heavily support an organization that provides rental assistance to those families that need it. Our company pays \$5,000/month in support these types of rental assistance programs. In addition, we successfully worked with all of our families whose incomes were affected by COVID this past year.

Since our rents are between \$450 and \$550 below market, our margins are thin, but since we are a private sector firm, we still needed to personally guarantee our \$14 million loan.

I am worried about SB 51-60. It is so broad, that any one of a hundred different maladies that could befall one of our families could be blamed falsely on COVID-19. There are many other nonprofit programs to take care of them in those instances. Eviction is the last thing we want to do, as is true with most landlords, however the threat of eviction will almost always bring the tenant to the table to negotiate a solution. I think everyone who testified today against this bill, is most fearful of these select few bad apples that will spoil the barrel.

If you pass it, craft it so landlords have clear protection against people whose income is not affected by Covid-19. These people should not be protected by this bill. Please make that clear in your language, or you could negatively affect our ability to keep Merritt Manor affordable and our

desire to build additional affordable housing units for the community.

If you have any questions or comments regarding this matter, please do not hesitate to contact me.

Thanks

Glenn Wells, AIA

Sent from my iPhone

On Jan 20, 2021, at 9:28 AM, Senate Housing & Local Government Committee <no-reply@zoom.us> wrote:

Hi 5160 Glenn Wells,

This is a reminder that "Senate Housing & Local Government Committee" will begin in 1 hour on:

Date Time: Jan 20, 2021 10:30 AM Pacific Time (US and Canada)

Join from a PC, Mac, iPad, iPhone or Android device:

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Webinar ID: 920 3977 9938

Passcode: 616918

International numbers available: <https://leg-wa-gov.zoom.us/j/abJPLzbdZE>

You can [cancel](#) your registration at any time.

CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Thornton

Kimberlee

1420 Marvin Rd NE Ste C, PMB 631

Olympia

WA

98516

360-890-5761

thornton.kimberlee@yahoo.com

To Chair Kurderer and members of the Committee

I am an attorney who has provided volunteer legal services to low-income tenants for almost four years. I support SB 5160 and would like to comment on two aspects of the bill.

Right to Counsel:

For low-income tenants, right to counsel in for an eviction proceeding is a close analog to the right to counsel for a criminal proceeding. Particularly during a world-wide pandemic, low-income tenants face potential loss of both their own life and the lives of others if they are evicted and become homeless. Low-income tenants who are evicted are more likely to become homeless, because they lack the resources to find new housing and because the eviction record itself makes potential landlords less willing to rent to them. Homeless people are more likely to be exposed to and transmit COVID-19, a disease so lethal that nearly 400,000 people have died in the United States in less than a year. Most landlords, particularly large commercial landlords, have ongoing relationships with attorneys, who advise them on legal strategies for dealing with tenants. The attorneys guide them throughout the eviction process. Low-income tenants lack this fundamental advantage in their dealings with landlords at every stage of the tenancy. Tenants do not routinely have attorneys to advise them in day-to-day disputes with landlords or on the best course to take when served with a notice of eviction. They also do not routinely have attorneys to guide them through the eviction process itself. In an environment where eviction of a low-income tenant is highly likely to lead to homelessness, it is crucial for the legislature to take steps to equalize this imbalance of power between landlord and tenant. Tenants must have access to legal advice to help them avoid becoming homeless and potentially spreading COVID-19.

Sealing of eviction records:

Under current law, once an unlawful detainer action is filed by a landlord, that action remains on the tenant's record FOREVER. The record does not expire at some later date as with a debt. The only avenue currently available to tenants to limit access to this record is a limited dissemination order, which prohibits tenant screening agencies from reporting the eviction to future landlords. This order is an imperfect solution to the problem, as it does not expunge the tenant's eviction record itself and tenant screening agencies have been known to disregard the court order. I support the proposed amendment to chapter 59.18 RCW requiring eviction records to be automatically sealed unless the landlord prevails at a show cause hearing or default judgment. However, I believe that sub-section (3) of the new Section 16 should be amended to permit the tenant to petition the court to seal the record upon a showing of good cause even if the landlord prevails, in addition to allowing the record to be sealed if stipulated by the parties. Most tenants who are evicted, both during the COVID-19 pandemic and in general, are victims of circumstance and should not be penalized long-term.

Thank you for considering my testimony.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

HELMS

DENISE

7901 Loren Pl

Yakima

WA

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As landlords we strive to treat our tenants with respect and provide them the best accommodations possible. We do not raise rent often and most of rentals have not had a rent increase in the last 2 - 3 years. What we are experiencing is renters that are slow to pay even though employed. This one renter is well aware of their "rights" and are slow to pay every month. We can't even ask our their situation. Property taxes have risen in the last few years - one rental had a 37% increase in property values this year alone. Insurance has also increased and the cost of repairs and replacement appliances have also dramatically increased. Yet we unable to even request a modest increase in rent to cover these costs.

My husband and purchased rental properties as our retirement income and we have seen our profits dwindle under these mandates. I am willing to work with our renters but too many renters are taking advantage of the system.

Please vote against this Bill. Landlords will be forced to sell their properties and this will negatively effect the amount of rentals available to tenants. We may have to join them.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Helms

James

7901 Loren Place

Yakima

WA

98908

5099495517

jimbo.helms@gmail.com

My wife and I planned our retirement income on our rental houses. We only raise our rates every 2 years and now it has been 3 years for our rentals. In this time property taxes have substantially increased over the last several years. One rental house had a 37% increase in property evaluation alone this year. Along with increasing insurance and repair costs (including replacement of appliances) we also have mortgages to pay. This is becoming increasingly difficult to cover due to increase costs. We are now contemplating selling our rentals to insure our retirement income. We can NOT afford to cover renters that are not paying. We still need to pay our bills. In one of our rentals we continue to pay to repair the furnace because we can not afford a new furnace. We have one renter that is not paying rent and we are not allowed to even ask about income or status.

If landlords are forced to sell their properties, where will tenants go? We hate to see our tenants be homeless but we may be forced under current conditions. We ARE NO RICH!

Please vote NO!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

GUILBEAU

JODII

400 GREENAR LN

MESA

WA

99343

509-492-7399

SANDRIDGE6305@HOTMAIL.COM

WA state has created a situation that has robbed landlords for nearly a year. Landlords have been forced to continue to provide services to tenants in spite of and irregardless of whether that tenant has been affected by COVID due to lost wages, etc. It is not landlords who have created this housing distaster. It is Gov. Inslee, and this legislative body seeks to continue to aggressively attack the housing industry and landlords, particularly small landlords. Your policies not only harm landlords, but this legislation harms the good tenants that are forced to endure the unsafe conditions of beligerant, dangerous, and non-compliant tenants whom landlords are unable to evict. You have usurped the legal rights of landlords big and small to conduct business and to collect what is legally and rightfully theirs--rent.

People who take products from a buisness owner, whether it be gas, food, clothing, etc, without paying for it are thieves and arrested for breaking the law. Why is it landlords can be robbed of their services and property and you decide we have no right to what is ours? Why do you get to decide who and when we get to evict. A contract is a contract and both sides are supposed to be accountable with legal remedies to address violations. You intend to deny landlords their legal, contractual, lawful rights to their own property, without fair compensation. This is simply unacceptable and unlawful under both the state and federal constitutions. Everyone hates the corporate model where the main office is somewhere completely removed from the day to day lives of individuals, but your policies are forcing small landlords out of business, creating a situation where the only ones who will be able to survive will be big corporate investors who are faceless and tenants are just numbers on a spreadsheet. Please do NOT pass this bill!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Fox

Cathy

7471 Rd. 170

Basin City

WA

99343

5093180212

cathyfox8@gmail.com

I oppose SB 5160 & SB 5139.

These two policies will have a devastating effect on small housing providers who are already strapped financially from increasing costs and missing income in 2020. Many small housing providers are desperately searching for a way to have their units create income to pay taxes, utilities, mortgages, and keep staff employed.

The Legislature should be focused on policies that protect both housing providers and tenants who have been damaged through no fault of their own by the government shutdowns in response to the COVID pandemic. This is not the year to pursue broad changes to the eviction process, or contested landlord-tenant laws.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Bigelow

Deb

PO Box 16688

Seattle

WA

98116

360-903-9881

thebigelows@hotmail.com

Dear Senators,

We have a small mobile home park in SW Washington, Clark County.

The current economic situation is based on a global pandemic. It seems premature to be passing laws prohibiting for 2 years evictions, collecting past rent through the normal legal processes, etc. If we in the Washington, the US and the world can get to the end of the pandemic, then the economy should come roaring back. I know I'm looking forward to eating out, traveling, seeing friends for a play or a movie.

Thanks

â€”Deb

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

McAllister

Robert

911 Aerial Dr

Yakima

Wa

98903

5092403600

aerialsportswa@gmail.com

I am against this as we have already seen tenants take advantage of the system, lie about their jobs, lie about receiving resources to supplement their income and not follow thru on their responsibilities to communicate their status with us. We have lost thousands of dollars in a short period of time.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Thornton
Elizabeth

304 SW Crescent Ave
Sunnyside
WA
98944
801-310-9078
lizcorson1@hotmail.com

I am writing to oppose SB 6150. I am a landlord. My husband and I own four rental properties in Washington, encompassing 12 units. It is obviously a small operation. We have tried to keep rent reasonable, and we depend on our tenants to pay their rent, in order to cover mortgage, taxes, insurance, and utilities each month. This payment is thrown into doubt with the Eviction Moratorium. At any time, a tenant can decide not to pay (covid- related problems or not), and there is nothing we can do about it. We still have to pay our bills.

I would like to touch on the part of the proposed bill that requires landlords to renew our contracts for two years after the emergency period ends. We have always screened our tenants before signing contracts with them. We currently have a tenant who passed our credit and background checks. Her references all spoke highly of her when I called them. I thought I had screened this tenant well. Now it turns out that her references were fake, she is destroying our property, and I suspect she is doing illegal activity (very hard to prove, of course, since we don't live with her).

A couple of months into her contract, she has placed cameras around her front door, she has a sign saying she had a gun, and she has repeatedly lied to prevent me from coming inside. When I did get access, her home smelled like cigarette smoke (forbidden in our contract, and she'd told me she was a non-smoker). In the first three months, without our permission, she has made changes to our wiring system and plumbing that have left things not working. She also spray painted graffiti in the garage, and judging from her behavior, we highly suspect she uses drugs and is doing illegal activity in her unit. Her REAL previous landlord found my husband and me and called us recently, to warn us about her. She and her husband destroyed their previous residence, causing thousands of dollars in damage, and sold drugs and weapons. The previous landlords couldn't evict them because of the Eviction Moratorium, so they let them finish their contract. Knowing we currently can't evict her, I have been looking forward to the end of our contract with this woman this year. If this bill passes, we will be stuck with this tenant for at least two more years, as she slowly destroys this unit like her previous one. Did you know cleaning up meth from a house can cost up to \$12,000?

It's unfair to force us landlords to keep destructive tenants like mine, especially after our planned contract time is legally over. The money we make at this rental covers our mortgage, insurance, and taxes, but there is not much extra to cover all of these repairs. And that is if our tenants continue to pay which, with the eviction moratorium, there is no guarantee. We signed contracts with tenants in good faith, to protect all of us. Now we have suddenly lost the protection from our contract, and our tenants can legally stay at our units at our expense, with no end in sight! The rules have changed.

We are asking you to please consider the landlords' plight in addition to our tenants' inability to pay, as we get through the Covid pandemic. Will small-time landlords like us slowly lose our properties, leaving only large companies to own and manage rentals?

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Mays

Christina

7426 SE 27th Street, Suite 100

Mercer Island

WA

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2067723000

christy@detentemgmt.com

2020 was a devastating year for so many, including housing providers who have shouldered a huge burden during the COVID pandemic. Housing providers, just like so many other businesses and households, need the opportunity to recover from the pandemic too. Restrictions placed on our ability to collect rent jeopardizes our ability to continue to operate our communities, pay staff, vendors, real estate taxes and the like. This coupled with new adverse legislation only creates tougher conditions for us too to recover.

We should be focused on finding ways to help everyone in need and I would welcome the opportunity to shares ideas on how to accomplish this.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Anderson

April

200 Bridle way

Yakima

WA

98901

5092485635

Quailrun@detentemgmt.com

These two policies will have a devastating effect on small housing providers who are already strapped financially from increasing costs and missing income in 2020. Many small housing providers are desperately searching for a way to have their units create income to pay taxes, utilities, mortgages, and keep staff employed.

The Legislature should be focused on policies that protect both housing providers and tenants who have been damaged through no fault of their own by the government shutdowns in response to the COVID pandemic. This is not the year to pursue broad changes to the eviction process, or contested landlord-tenant laws.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Green

Jeffrey

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Port Orchard

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jeeffray@hotmail.com

Washington State has a severe housing shortage. Evicting people in the middle of a pandemic will not help anyone. Let's help tenants and give land lords assurances and protection as well. We aren't all in this together unless we help each other.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Munson

Ryan

2101 Saint Hilaire Rd

Moxee

WA

98936

509-930-7926

rrmuns@yahoo.com

I have been small scale landlord for over 20 years. The majority of the rent I charge goes to paying the monthly mortgage payment, taxes, insurance and the remainder goes to improvements, and maintenance on the property. After all is said and done what happens most years is money comes out of my pocket because the rental income does not support all of the costs.

I generally do not raise rents on existing tenants for fear of them leaving and when an unit is empty my out of pocket costs are even higher. I believe this bill would place an unfair burden on landlords. Landlords should not be forced to allow someone to live in a property without paying rent. They should be able to have the tenant removed for failing to pay just as a city would shut off my water if I failed to pay the utility bill. This is common sense and I urge members to vote against this. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Archambault

Elizabeth

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Seattle

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elizabeth.archambault@gmail.com

SB 5160 is important as it provides legal representation for tenants facing eviction. Currently unless tenants can find legal representative thru their own resources, tenants face the property manager and their legal counsel alone. This causes the tenant to be in serious jeopardy and almost always has negative consequences for the tenant as they lose their case and are evicted and thereby become homeless. In addition SB 5160 requires repayment plans for any unpaid rent due to the pandemic and makes certain that both landlords and tenants can access state rental assistance programs. SB 5160 is an effective tool that works towards keeping tenants housed as well as works towards making sure property managers receive past due rent through a payment plan.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Isozaki

Mark

5414 N Commercial

Tacoma

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2533595160

mark.isoizaki@me.com

Our family business is owning and operating small apartment buildings in Pierce county. Started by my Asian immigrant father, three generations depend on our rental income. We work hard to provide a nice living environment for our tenants and we understand the need for government sponsored rental relief. We just ask that small landlords are not expected to bear to burden.

I am contacting you as a landlord to share my concerns about House Bill 5160. Specifically, HB 5160's two-year extension to prevent tenancy termination creates an undue burden on all landlords.

The Bill is very specific about the tenant's protection, but the landlord's role is vague. Section 10 is very general. "Access" to the programs does not give me confidence that relief for property owner is certain, especially when 38 criteria must be met. I have serious concerns about HB 5160 becoming a law.

First, how does the landlord determine whether the tenant can pay rent? The State has an office to decide whether an individual qualifies for unemployment assistance. This professional income screening offers consistency in determining an individual's need for public assistance. The landlord does not have access to records or the ability to impose sanctions on people who cheat the system. HB 5160 takes away the only recourse that the landlord has for dealing with tenants who do not pay rent.

Second, the burden assistance is pushed to the landlord. If the State can verify that the tenant does not have the resources to pay the rent, why is the landlord being sent to apply for relief? Further, relief is not guaranteed unless 38 eligibility requirements are met. Asking the landlord to file for lost rent income seems like more administrative work for public employees and does not guarantee relief for the landlord.

Like you, I am concerned about homelessness and the pandemic exacerbates the problem. House Bill 5160 is not the solution. This piece of legislation requires some major revisions to be fair and a better use of public resources. The two-year moratorium on tenant termination puts landlords in a very difficult position. We cannot verify the inability of tenants to pay and the proposed legislation does not guarantee the rent is paid. People are going to abuse the law, and landlords are stuck holding the bill. Please encourage your colleagues to revise HB 5160 to create a screening system for rent relief and take the landlord out of the equation.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Pro
Chen
James**

24 Etruria St

Seattle

WA

98109

650-539-5709

seattleite@fastmail.com

Tenants need more protection in this unprecedented public health and economic crisis. For example, my landlord was not allowing me to terminate my tenancy without a hefty fine. This bill would allow me to move to more affordable housing during hard times.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Fukuyama

Kiana

7019 157th St SW

Edmonds

WA

98115

2064273117

kiana.fukuyama@gmail.com

I am writing in support of this bill. Many tenants in Washington are relying upon the eviction moratorium in place, that is the difference between being housed and being unhoused. If this Bill does not pass, countless Washingtonians will be kicked out and owe more money on top of what they already owe. It is unjust and unconscionable that in the middle of a pandemic that affects people of color and our unhoused populations we are discussing and considering adding to our unhoused population by not protecting the many of us that are very vulnerable. I urge you to pass this Bill, find an ounce of humanity and protect those of us that need help the most. In the middle of a pandemic human lives should matter more than profits and making money.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Adsuara

Justin

1521 N 107th St, Unit B

Seattle

WA

98105

510-557-9776

justinadsu@gmail.com

Rent is my largest bill, more than taxes and healthcare expenses combined. This reflects how much power landlords have in our economy. They don't need any more power to evict unemployed working-class people, or to dictate the terms of owed rent during this crisis.

An unemployed person kicked out onto the streets is in no better position to sustain themselves, their family, or their community.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Con
Hendricks
Kent**

16607 1st Ave SE
Bothell
WA
98012
4252736243
harmonyhomesland@gmail.com

My wife and I provide housing in Snohomish County in a small 8-unit apartment building, and we are nearing retirement age. Currently 2 of the tenants (25%) are not able to pay their rent. When all tenants are paying their rent, about 85% of those payments go to pay expenses that we have little or no control over, including real estate taxes, our mortgage, insurance, and utilities. So we are going backwards. We are currently owed over \$20,000 and can't afford to keep this up!

SB 5160 is taking the wrong approach. Small housing providers such as us are the ones who need the assistance! Tenants know they can't be evicted, so extra assistance given to them doesn't necessarily end up paying their rent. Money used to pay attorneys to represent them would be much better spent paying their rent so they have no reason to be evicted.

The state government has made the decision to prevent good people from working; it therefore makes sense that government would pay the obligations that they are no longer able to meet.

If SB 5160 were to become law, that would increase the financial devastation currently being experienced by small housing providers such as me and my wife. I urge you to oppose it.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Ferguson

Chris

502 N. 11th St.

Tacoma

WA

98403

253-627-1349

cdf@plu.edu

I am a manager/landlord for three houses that are rented to low income/high barrier tenants. SB 5160 is of critical importance to tenants everywhere for a smooth return to "normal" when the eviction moratorium ends.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Hopkins

Jared

2616 24th Ave E

Seattle

WA

98112

2063245271

jedroach@uw.edu

The economy is in tatters. Putting people out on the street makes the economy worse as they are distracted from doing their jobs. Mediation enables both parties to find win-win solutions.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Schlagel

P. Marie

1160 N 192nd Street, Apt. 115

Shoreline

WA

98133

3258646289

maries@sihb.org

My name is Marie Schlagel, and I am a program assistant for the Seattle Indian Health Board, an advocate with Quaker Voice, and a concerned friend and neighbor. In my daily commute, I pass by three houseless people camps. I go to the grocery store and walk by people huddled under sleeping bags or old coats in street corners. At work, people in years long waitlists for affordable housing come to us for care. Washington already had a housing epidemic; the COVID-19 pandemic only exacerbated it.

And now we have people who previously managed well enough facing looming threats of eviction and growing fees. We have people who have been laid off, furloughed, cut hours, and are struggling in the wake of the worst recession in years. Our federal government has failed us; our state and local government has done what it can but our community's health is too often to the personal decisions of individuals. Unless immediate and direct action is taken, our prior housing epidemic worsen and already limited resources will be spread far too thin.

SB 5160 is preventative. SB 5160 is a direct action. SB 5160 is putting people first and taking care of our community. There are more tenants than landlords, more tenants voting than landlords voting. It is the tenants that have the greater need and are most impacted; therefore it is tenants that deserve to priority.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Jacobson

Abram

2314 Samish Way

Bellingham

WA

98229

360-303-1059

abejacobson1948@gmail.com

We are on the verge of a disaster for tens of thousands of renters who, by no fault of their own, have fallen behind on rent.

It is not in anyone's interest, and certainly not in the State's interest, to swell the numbers of our homeless by adding a fresh 50-thousand to that fate.

This is an emergency. Long term "studies" will do no good on this one. Immediate assistance is needed.

Please support SB 5160.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Unruh

George

13904 115th Ave NW

Gig Harbor

WA

98329

2535145003

gnu4158@gmail.com

I am in support of amending the landlord-tenant law to give support to tenants who have been caught up in this Covid-19 pandemic. Tenants should not have to suffer adversely but be given the opportunity to work through it. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Berrios

Jubert

519 Washington St SE

Olympia

Wa

98501

3603508275

jubrtt507@gmail.com

My name is Jubert Berrios and I've lived in The Olympian apartments, just down the street from the Capitol, for more than three years. Long before the pandemic, my neighbors and I have lived in substandard conditions. We get bug infestations, rodents, mold, leaks, and overheated rooms.

Yes, we have regular mold in our apartment, during a respiratory pandemic.

Renters all across our state have been paying high rent for substandard living. Now under the pandemic, renters have been scrambling to pay rent, without improving living conditions.

Ensuring we have just cause protections against unfair evictions means we can ask for repairs without fearing we'll be kicked out into homelessness.

Renters need protections to get through this pandemic, and will need protections for years after so we can get back on our feet.

Since evictions are a leading cause of homelessness, we need you, our lawmakers to pass protections to help keep us in our homes

Pass SB 5160 so renters can feel secure and safe in their housing.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Con
hoang
lan**

pobox 87423
Vancouver
WA
98687
5039337555
lan_p36@yahoo.com

I do not understand why small housing providers are expected to rent our homes and not receive rents ?

Are nurses, doctors, restaurant owners ... expected to provide for their clients and not get paid ? We all have to eat, sleep in a bed with a roof over our heads. We all have families to feed.

I am a single parent, I have worked all mylife, 35 years, 3 jobs, raised a kid all alone, saved every penny to buy a couple homes to rent out, live on the rent I receive to put food on my table and hope to not become a burden to the welfare system.

If I do not receive rents, how do I feed my family ? How do I pay my mortgages, taxes, insurances, maintenance, repairs ? I can stop mortgage payments for now but the interest continues to accrue.

I do not receive un employment benefits.

Many renters still work, some receive thousands in un employments pay and they do not have to pay rent, some do not pay rent, buy 60000 dollars vehicles, new homes.

The moratorium is unbelievably insane.

Why small housing providers are targeted to go bankrupt ?

Furthermore, the moratorium and rent control on the surface are portrayed as help to renters.

The painful reality : these policies only sabotage EVERYONE, first victims are small housing providers, second wave of victims are repair people, trade workers... landlords have no money to hire, third wave of victims are the RENTERS !!

Landlords are terrified to rent their homes, they keep them vacant instead of getting renters who do not pay, terrorize landlords, destroy the properties while landlords cry and go bankrupt.

Please STOP THE INSANITY!!!

We all need help. Desperately.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Fulop

Mike

Belltown

Seattle

WA

98121

206-501-6046

mikerfulop@gmail.com

My name is Mike Fulop, I'm a Seattle renter, and I'm a member with Washington CAN.

I first moved to Seattle in 1995, and lived in a studio apartment that I rented for \$550 a month.

I'm testifying in support of SB 5160 to ensure renters like me can stay housed and healthy as we get through this pandemic and recover from it.

In March 2020 I lost my work as a contract agent at conventions. With Seattle conventions getting cancelled and rescheduled, I couldn't find any work. I immediately fell behind on the rent on the two-bedroom apartment I share with my mom. She is retired but brought in extra money through childcare work. But all her work fell through in March as well.

We didn't catch up on rent until December when the King County Emergency Rent Assistance program made me current. I had been about \$25,000 in debt at that point.

Though I'm grateful for that rent relief, I am in debt again this month. And I'm now suffering the consequences of nearly a year of stress and fear of eviction.

The reality is that renters like me will not be getting back to normal anytime soon protections if we hope to stay housed long enough to access rent relief.

The reason I'm only able to submit written today is that I have an incurable disease called "Achalasia" and is in its final stages. The symptoms are pretty life altering, along of making swallowing food almost impossible because your esophagus is dying, I get constants chest spasms that feel like never-ending heart attacks, I also get to throw up for hours till sometimes I pass out, and the constant nausea and motion sickness makes everything a problem " even looking at a computer screen makes me dizzy.

The Eviction Moratorium probably saved my life. Because of my condition, my doctor has recommended a surgery that could potentially help me survive, but I put it off all last year because the recovery time would require at least six months of recovery, and because I was in debt, I feared I would get evicted before I had time to recover.

Now I'm suffering an extremely painful episode of achalasia that makes it nearly impossible to eat. Even though I got substantial rent assistance in December, and the moratorium kept me housed, I'm still suffering because of how precarious my situation was.

I know I'm not alone, and that if we pass SB 5160, it will be a step toward putting renting families like mine across the state at ease, so they can recover, and get back on their feet.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Pernotto

Elizabeth

3112 Alderwood Avenue

Bellingham

WA

98225

3606471752

BETSY1045@GMAIL.COM

I am writing to support passage of SB 5160 on landlord-tenant relations. We are in the midst of a dangerous pandemic and we face an even more massive pandemic of homelessness if we do not protect tenant rights. Nearly 20 million Americans are behind in their rent. Even when the pandemic ends many people will find it difficult, if not impossible, to pay back rent. In Bellingham before the pandemic, 42% of our population was either living below the poverty level or teetering on the brink of poverty. The pandemic has made these numbers even more staggering. We have encampments of homeless people in a number of places in Bellingham because rents are unaffordable, even when people work full time. To protect these individuals and to prevent a massive surge in homelessness, I support SB 5160. Thank you.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Graber
Tyler

38 E. Main Ste. 207
Walla Walla
WA
99362
5095259760
tylery@nwjustice.org

Madam Chair and members of the committee:

Thank you to Senator Kuderer for the written invitation to provide testimony about this bill. Northwest Justice Project is funded by Congress and the state of Washington to provide free legal services to low-income people across the state of Washington. As such, we are uniquely positioned to comment on the positive impact that this bill would have on the lives of low-income renters.

First, the bill provides a necessary and important step toward normalizing landlord-tenant relations after the moratorium. During the period of the Governor's moratorium NJP has seen an increase in renters seeking legal advice or representation in spite of the fact that very few evictions are being filed in court. Low-income renters still need access to legal advice and representation because even with the moratorium they are facing illegal lockouts and pretextual evictions. Some landlords are using the exceptions in the Governor's moratorium dealing with 60 day notices of intent to reside in the unit or sell the unit as pretextual reasons to evict renters who are behind on rent or otherwise are unable to be evicted. This bill extends those 60 notices for two years. In order to protect tenants from further pretextual evictions, it will be important to increase access to justice as this bill does.

Second, the bill provides a right to counsel for indigent renters. This provision will go a long way toward providing access to justice for low-income renters and make the renter protections in the bill far more meaningful. In our experience, many counties see low rates of legal representation. The University of Washington Evictions Project reported that, during the period 2004-2017, fewer than 8 percent of unlawful detainer defendants in Washington had an attorney to represent them. Thirty of Washington's 39 counties, including three of the five most-populous counties (Clark, Pierce, and Spokane) had lower percentages. Not surprisingly, given the lack of representation, default judgments were entered in many of these actions, with rates in the five largest counties, as of 2017, ranging from nearly 30 percent to nearly 50 percent.

When eviction defendants did have the benefit of counsel, it made a difference. For example, a 2017 study of Seattle unlawful detainer actions found that tenants with legal counsel were about twice as likely to remain in their homes and more than three times as likely to receive some form of settlement or stipulation as those without legal counsel. Those that remained in their homes were able to dismiss the action entirely a stark difference from those that were kicked out of their homes and ordered to pay a judgment that would burden them with debt. But most tenants were forced to defend against evictions by themselves. This bill corrects that problem.

One issue that may need clarification related to appointment of counsel is to ensure the ability of an appointed attorney to request a continuance to the next week, if the attorney is appointed at the show cause hearing. This will allow the renter to contact the attorney and the attorney to present a defense. In most counties, there is no in court housing clinic and the renter will need to contact the attorney after the appointment. If the court does not continue the hearing, then the renter and the attorney will have no practical way to present a defense. Section 6 should be amended to permit a continuance for the appointment if necessary.

The bill contains one provision that should be corrected. The bill eliminates the Order of Limited Dissemination statute. This should not be rescinded. NJP and others routinely represent renters seeking OLD's months or years after their eviction because the record remains harmful for up to seven years, or longer if a judgment exists.

Thank you for the opportunity to comment on this bill

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Marshall

Robert

3112 ALDERWOOD AVE

BELLINGHAM

WA

98225

3606471752

RCMARSH48@GMAIL.COM

I am writing to support passage of SB 5160 on landlord-tenant relations. The uniquely dangerous pandemic will cause an even more massive pandemic of homelessness if we do not protect tenant rights. Nearly 20 million Americans are behind in their rent. Even when the pandemic ends many people will find it difficult, if not impossible, to pay back rent. In Bellingham before the pandemic, 42% of our population was either living below the poverty level or teetering on the brink of poverty. The pandemic has made these numbers even more staggering. We have encampments of homeless people in a number of places in Bellingham because rents are unaffordable, even when people work full time. To protect these individuals and to prevent a massive surge in homelessness, I support SB 5160. Thank you.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Andersen
Julianne

8408 8th Ave SW
Seattle
WA
98106
2063256246
jaandersen70@outlook.com

I am testifying in regards to pending legislative Measures 5139 and 5160, and by extension, the State of Washington's Eviction Moratorium. While we understand and respect the spirit of these measures "they are deeply flawed in a number of ways, currently harmful to landlords and will eventually worsen the current homelessness crisis.

These measures effectively prevent landlords and property owners from adequately and responsibly managing their properties by prohibiting the legitimate cessation of troubled tenancies and fair market and cost-of-living rent increases. Additionally, they are overly broad and woefully one-sided "supporting and assisting only tenants during a public health crisis that has affected us all.

While these measures are in place to assist tenants suffering financial hardship due to Covid19, none of these measures require any verification of Covid19 related financial hardship. As you need to be aware, there are many tenants that are taking unfair advantage. Both proof of duress and enforcement infrastructure need to be in place to establish legitimacy of claims and to prevent unaffected tenants from profiting from these laws.

While property taxes, utilities and insurance costs continue to rise, the State of Washington has neither acknowledged nor made any efforts to assist responsible property owners with these costs while eliminating the ability to collect and increase the income necessary. Nor is the State of Washington extending offers to assist low-income or struggling landlords with legal costs. The entire burden of managing the housing related issues from Covid-19 falls to housing providers and landlords alone.

No distinctions are being made between large, many-multitudes property-owning and renting corporations, mid-size, multi-property owning and renting companies, and very small (Aka "Mom and Pop" single or maybe double property-owners "including but not limited to "Housemate" scenarios which are technically tenants. This legislation is far too broad for a sector that consists of many different types, sizes and scenarios.

I am in the latter category "I own one home in West Seattle and one on Vashon Island. I have invested my entire savings into the restoration and care of the Vashon property and hope to retire there someday although that seems increasingly unlikely as I, too, have had a loss of job opportunities. I am an active and contributing member to both communities, and I absolutely need to defend my rights to responsibly manage my properties and by extension my housemates and/or "tenants" so I can ensure my financial stability now and in the long view.

If these measures are enacted, you must be aware that you will be forcing most small landlords to sell their properties as we simply can't afford them without fair rental income and will be forced to sell to avoid foreclosure. As this happens, there will be fewer and fewer affordable and practical housing options available and will exacerbate the existing homelessness crisis. The only other option available is to simply leave units empty in light of these debilitating measures. You will be making a difficult situation worse, and virtually guaranteeing the crisis these measures have been hastily and sloppily constructed to avoid.

Please do not pass measures 5139 and 5160 and furthermore take far more care to write and enact better, specific, thorough and equitable legislation in the future "your diligence in the matter of supporting small landlords can and will contribute to both stronger communities and less homelessness in an already housing challenged region. Please respect and support responsible housing providers in a difficult time that affects us all. Sincerely; JAndersen

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

**Pro
Witter
Edmund**

1200 5th Ave Suite 700
Seattle
WA
98101
2062677019
edmundw@kcba.org

Senate Housing and Local Government Committee
304 15th Avenue SW
Olympia, WA 98504-0466

Re: Support for SB 5160

To Whom It May Concern:

I write to you in support of SB 5160 as it provides essential protections to households struggling during the COVID-19 pandemic. At the King County Bar Association, we provide legal representation to over 5,000 King County families each year and manage one of the largest rental assistance programs with United Way of King County, Home Base.

The Week 21 U.S. Census Pulse survey reports 175,717 Washington households are behind on rent. To put that number in perspective, King County has roughly 11,751 homeless individuals, representing roughly 0.05% of the overall population of King County. Even an increase of several thousand households becoming homeless would overwhelm our homeless response system and make homelessness an even greater issue for our region.

In order to avoid large scale evictions and homelessness, it is necessary to provide a) rental assistance to households in need, b) time for those to be processed, and c) ensure persons will have equal access to those resources. There is no means by which we can avoid mass evictions if the Legislature only provides for one or two of those items. For example, rental assistance without sufficient time to process applications or build an infrastructure to support it will result in thousands of preventable evictions just as roughly 27,000 Washington residents were still waiting 7 months for unemployment benefits in December, 2020. Similarly, providing rental assistance without the needed legal and social services support will result in the eviction of families who were not protected from an erroneous rental assistance application denial or who did not know how to properly apply for the program, especially since only 8% of tenants have access to legal counsel in Washington. Without adequate legal counsel to help families facing eviction, many rental assistance resources will not be accessed by families in need.

SB 5160 achieves all of these by ensuring rental assistance will be provided to landlords and tenants, provides time for those funds to be processed by providing a grace period and payment plan option to tenants, and provides legal counsel and mediation services to tenants who may not access those support services before an eviction would take place.

SB 5160 provides a means to transition from the existing moratorium back to normalcy. SB 5160 will create much needed support to prevent evictions and provide certainty in an uncertain era. We urge you to recommend passage of SB 5160.

Sincerely,

Edmund Witter
Senior Managing Attorney
King County Bar Association
1200 5th Ave Suite 700
Seattle, WA 98101
(206) 267-7019

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Tamburini

Matteo

816 20th street

Bellingham

WA

98225

3607151605

tamburini.m@gmail.com

In these extraordinary times, people need help to stay in their homes!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Van Cleef

Yvonne

41 NE Midway Blvd Ste 101

Oak Harbor

WA

98277

3609141220

yvonne@ipmrent.com

Unfortunately some tenants have taken advantage and not paid rent even when they were not effected by Covid and were able to keep working with no loss of income. This policy would have a devastating effect on small housing providers who are already strapped financially from increasing costs and missing income in 2020. Many small housing providers are desperately searching for a way to have their units create income to pay taxes, utilities, mortgages, and keep staff employed.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro
Burnham
Elma

2414 Ellis St
Bellingham
WA
98225
860-949-2144
eccburnham@gmail.com

Hello,

I'm writing as a WA state tenant in support of bill SB 5160. At a time when unemployment is through the roof, 400k Americans are dead from covid, and our country is experiencing a nation-wide trauma following the insurrection, housing can help keep us all safe and healthy. I am in favor of extending the eviction moratorium, making late fees illegal, allowing tenants to break a lease early without incurring cancellation fees, providing legal representation to tenants, requiring that landlords negotiate payment plans for back-owed rent, ensuring that tenants can access state rental assistance programs and overall support of renters in our local communities. In our current system, renters can too easily be forced into houselessness, creating dangerous problems for them and the community. We must keep our community housed!

Thank you for your time.

Sincerely,
Elma

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro
glick
stephanie

Sandycrest Dr.
Portland
OR
97213
7783176395
stephanie.glick@gmail.com

Hello, I am writing to ask you to support SB 5160 to protect tenants's rights during the Covid-19 crisis:

Extend the eviction moratorium

Make late fees illegal

Allow tenants to break a lease early without incurring cancellation fees

Provide legal representation to tenants

Require that landlords negotiate payment plans for back-owed rent

Ensure that tenants can access state rental assistance programs

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

EARLY

LINDA

PO BOX 257

LUMMI ISLAND

WA

98262

3602242557

alindyrosen@cybermesa.com

It is my belief that we must help as many people as possible during this global pandemic to remain in their homes. The provisions in this bill allow renters to have more time to pay their unpaid rent and access to possible funding during this unprecedented time.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Call

Morgan

710 East Maple Street

Bellingham

WA

98225

3609206460

morganaluciocall@gmail.com

I am a Washington state tenant, scared for my fellow renters and my family. This bill is another important step towards doing the right thing, even in this awful situation the pandemic has put us in. If we're being realistic, the economic impact of the pandemic has to fall on someone. But that someone should not be the people with the least resources; It should not be the people with no safety net. Renters need the government's protection (your protection) right now, because if you don't continue to protect us we will be evicted and made houseless, sunken into debt, or forced to choose between rent and food. I am in favor of extending the eviction moratorium, making late fees illegal, allowing tenants to break a lease early without incurring cancellation fees, providing legal representation to tenants, requiring that landlords negotiate payment plans for back-owed rent and ensuring that tenants can access state rental assistance programs. We're counting on you as our last line of defense! Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Campbell

Melanie

106 Florentia St

Seattle

WA

98109

805-218-2462

melanie11campbell@gmail.com

I am expressing strong support of SB 5160. Tenants need protection imminently and holistically. With the income insecurity and devastating economic impacts as a result of COVID-19, many people are at risk of homelessness. We need proper and sufficient protections legislatively put in place that can be implemented equitably.

We are still in a state of emergency, and even when that state of emergency is over the economic impacts are going to continue. With these economic impacts of job insecurity, income shortages, lost wages, the impacts on housing is at the center. Support of SB 5160 is important for housing security in the present and to prevent homelessness in the future. It is crucial legislation paves the way for landlords and tenants to have working relationships that especially supports tenants as the vulnerabilities to the devastating impacts of this pandemic are ever-present.

As a Washington tenant myself, someone who lost a job a job in March, has been an essential worker in a grocery store, and knows stories of other Washington tenants who have so much at stake for themselves and their families, when it comes to housing, I stand with all Washington tenants in support of SB 5160.

The protections for tenants in SB 5160 are imperative and crucial. I urge you to stand with the wellbeing of Washington state as whole with the measures of this bill that will protect individual tenants, prevent homelessness, and help offset the impacts of COVID-19 that are unprecedented and uncontrollable by tenants by supporting SB 5160.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Miller

Lori

18518 E Cowley Ave

Spokane Valley

WA

99016

5099513274

springmill2012@gmail.com

We "STRONGLY" oppose SB5160. We are a small Mom and Pop Mobile Home Park located in Spokane Valley, Washington that provides affordable, safe and respectable housing for people on low and fixed incomes. The renewal agreement for tenancy for a two year period is absolutely ridiculous. We now have not been able to raise rents for two years because of the moratorium put in to effect with Gov. Inslee last year in March. We have tenants that are not paying rent and have not paid rent since last summer. Now your telling us we can't evict someone for not paying their rent. This is killing us financially as we have bills and taxes to pay ourselves to keep our business going. We have seriously considered selling our business and have been searching other states to set up our business to get out of Washington. Every year we go through this with you law makers that seem to strive to continually make up these new laws that are unbelievably strict and very unreasonable for property owners. Seriously considering selling our park if these laws pass.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Miller

Lori

27607 N River Estates Drive

Chattaroy

WA

99003

5099513274

dragon62fly@gmail.com

We "STRONGLY" oppose SB5160. We are a small Mom and Pop Mobile Home Park located in Spokane Valley, Washington that provides affordable, safe and respectable housing for people on low and fixed incomes. The renewal agreement for tenancy for a two year period is absolutely ridiculous. We now have not been able to raise rents for two years because of the moratorium put in to effect with Gov. Inslee last year in March. We have tenants that are not paying rent and have not paid rent since last summer. Now you're telling us we can't evict someone for not paying their rent. This is killing us financially as we have bills and taxes to pay ourselves to keep our business going. We have seriously considered selling our business and have been searching other states to set up our business to get out of Washington. Every year we go through this with you law makers that seem to strive to continually make up these new laws that are unbelievably strict and very unreasonable for property owners. Seriously considering selling our park if these laws pass.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Other

Rhoades

Barbara

4618 Slayden Rd NE

Tacoma

WA

98422

2067358497

roseruni@yahoo.com

Please, I put every penny I had into a triplex where i live in the top unit and rent the bottom two. I don't have a 401k, and at age 67 it is all I have. I cannot afford to shoulder the burden of even one tenant not paying, and I am scared.

I thought I was being smart, paying cash for my triplex and now it turns out that it was a foolhardy thing to do, not even having a mortgage to forebear.

I am your crack. The damage to the good intent of your statute. Please consider exempting small landlords under a certain number of units? I know this is a lot to ask, but I am not an investor, it is my only retirement plan. (No different than asking everyone to dig into their 401k to shelter the homeless?) And even though I only have 2 units, little people like me help keep rental prices down.

Please, whoever may be reading this, if my idea is not feasible, I am praying that you might give thought, even deep thought of a reasonable means to people like me. Retired. 2 units. No 401ks. No mortgage because they were raised that security was paying in cash.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Dugoni

Cristina

6619 132nd Ave NE #254

Kirkland

WA

98033

2064592664

cristina@davisinvestors.com

SB 5160 will be devastating to property owners (large and small). Over the past 10 months, we suddenly have tens of thousands of dollars in unpaid rents. While some are truly covid impacted, others have taken advantage of the Moratorium. We have even instigated a "We Care" program that pays \$25/hr for residents to work around the property (painting, weeding, blowing, sweeping, cleaning) and we have had 1 person show up to work for 4 hours in the past 10 months. We have had a tenant mobile home burn down and partially burn their neighbors home. This situation WAS NOT covid related, obviously. The neighbor moved out, has not paid in 10 months and abandoned the home. The roof has now caved in, people have broken inside, but neither the Sherriff's department or the AG's office will allow us to bring action to have the home removed. We have 3 other residents that had received Notices to Evict days before the Moratorium went into place, but now with the Moratorium they just continued to "squat" in the homes that they had been evicted from. We have no recourse.

We have reached out repeatedly to the 30+ residents that are not paying their rent asking for payment plans and only 2 have gotten back to us. The rest have just gone silent! This is a very bad bill.

Recently, with residents believing the Moratorium was going to be lifted we suddenly had a surge of residents paying back rent so that their credit was not affected. Now with 2 more years in this bill we will have opportunist residents not paying their rent because they don't have too.

We have another resident that has not paid rent for 9 months, then they received assistance from King County that paid all rent from April thru November (over \$7,000). It turned out this was a second "weekend" home they rented from us on the water and they lived in their primary resident in Kent. Nonetheless, they received scarce funds from KC that should have gone to a person who was Covid impacted with their primary residence rather than this person with their Vacation home. Now, this same Tenant has not paid rent for 2 months (Dec/Jan 2021) and we can't evict them.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Seth

Anita

809 24th Ave E

Seattle

WA

98112

203-887-3495

sethanitam@gmail.com

As an organizer with UNITE HERE, I have seen first hand the devastation of the Covid crisis on hospitality workers. Too many have spent months or even a full year without any income or ability to get a job. Without protections, many of them will soon face homelessness. Please pass this bill to support tenants in crisis.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Newcomer

Kayla

2500 NE 54th St

Seattle

WA

98105

2066944500

kayla.newcomer@youthcare.org

My name is Kayla Newcomer and I'm writing on behalf of YouthCare in support of SB 5160. YouthCare supports youth and young adults experiencing homelessness across Seattle and King County.

The economic impacts of COVID-19 have put thousands of Washington youth and families at risk of eviction and homelessness and have exacerbated racial disparities.

As the eviction moratorium ends, many Washingtonians will face thousands of dollars in back rent and potential eviction --creating another homelessness crisis on top of what already is a homelessness crisis.?

SB 5160 would require repayment plans for unpaid rent during the pandemic, and ensures that landlords and tenants can access state rental assistance programs.

SB 5160's provision of legal representation for tenants facing eviction is key in addressing racial disparities and barriers to legal representations that BIPOC communities face.

These provisions are key in providing a path for youth and families to retain housing and not have to pay months of back-rent at once (an impossible feat given the economic consequences of COVID-19 on our communities).

Tenants need critical rental assistance and eviction protections to help pay rent and prevent a surge in evictions. For youth, in particular, this especially important because young people are just beginning to create a rental history, and having an eviction on their record creates barriers to accessing housing for the rest of their lives.

For these reasons, we urge you to pass SB 5160. Thank you for your time.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Ludwick

Rachael

1542 19th Ave S

Seattle

WA

98144

415-531-9533

rachael@ilkjar.com

We have owned our home for about ten years. One of the main reasons I bought it was to get out of the system where a hard to understand rental legal system could make me move with little notice. Our rental protection laws allow tenants to be forced to move in effectively days or weeks often with little support or legal protection. By comparison, if you are lucky enough to make enough money to buy an extremely pricy home (ones near us now go for at least half a million dollars), it takes months for a bank to remove you and the banks work very hard to find ways to keep people in their homes because reselling a defaulted home can be hard. Renters should have at least that much protection and this bill is a start with additional support like legal assistance during eviction and ways of catching up on rent. Please support this bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Owens

Gina

1118 18th Ave.

Seattle

WA

98122

2065384589

ogina.55@gmail.com

My name is Gina Owens. I am a Seattle renter, a 20-year member of Washington CAN and a member of the Seattle Renter's Commission.

I am here to support SB 5160 to ensure renters stay safely housed

Years ago I was in a car crash that left me unable to work. I was evicted within a month and my teenage daughter and I were homeless for close to three years.

This could happen to thousands of renters across our state if we don't ensure protections against evictions while we recover from this global emergency.

I'm speaking as a grandma raising three young Black adult grandchildren. We know that BIPOC communities are more likely to be renters and more vulnerable to eviction. Passing this bill is one step to ensuring racial equity for our communities.

Although this bill is well-written I want to ensure the right to counsel is provided to all renters, since all renters were impacted by this terrible pandemic.

I want people to understand the scope of the renters who are at-risk of being evicted. It goes a lot further than just folks who are low-income. Restaurant workers, contract workers, entertainment workers, hotel workers, retail workers, the majority of who lost their jobs and have not been able to get back to their normal incomes.

While the governor's eviction moratorium was valuable in providing temporary relief, we need a permanent solution to give renters peace of mind.

Ensuring renters stay housed will give us all time to recover, as they work to access rent relief, and get back on their feet. I urge passing SB 5160.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Other

ONeal

Nancy

3615 NW 134TH CIR

Vancouver

WA

98685

3609538280

nancyohomes@comcast.net

To whom it may concern,

I strongly OPPOSE SB 5160

Landlords are not in the business to conduct and provide housing for the State of WA. We have worked hard to have these assets for the betterment of our lives and future financials.

Thank you for your attention to this matter.

Best,

Nancy ONeal

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Other

ONeal

Nancy

3615 NW 134TH CIR

Vancouver

WA

98685

3609538280

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Best,

Nancy ONeal

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Small
James

8808 8th avenue NE,
SEATTLE
WA
98115
2062936868
Jim.Countryest@gmail.com

Landlords are not being supported. Where is our relief? What will make us whole as we lose hundreds of thousands of dollar. We are not government supported entities. If you want to support people who can't pay rent, go for it but do it through rental relief that's supported by all tax payers not by placing and unfair burden on landlords. Being a small landlord is hard work and we are very vulnerable as well. We still have our large debt, taxes, maintenance and utilities to pay on our properties that are not forgiven. We can't carry all this on our shoulders. It's not fair. We need support too. I recently purchased a mobile home park in Omak WA. It provides affordable living to the residents it serves. My rents are by far the lowest in the region by a wide margin. I'm already doing my share for my low income tenants by keeping my rents down but it's also is the home of Suncrest Plat Water System. This is an older, aging water system that has been grossly underfunded for years. Both the EPA and the department of Health emphasize that these small water systems must be funded properly to provide safe, clean water. How do you do this without rental income. This system includes an expensive Arsenic Treatment plant and and a Satellite water system manager to run it. Additionally it has 26 aging septic systems that require constant service. Rents have been kept super low and very little has been spent on maintenance over the years on the water system and park. There are a lot of rules that already protect the MHP tenant which we must follow. This bill could sink me before I have a chance to get this park squared away and leave the park in far worse shape going forward and me financially ruined. As it stands there is not enough revenue to provide proper water and septic maintenance in the way the DOH and EPA require. I took on this project because I like the challenge even though I knew it would be a huge investment. But I had no idea I would be looking at possible multi-year losses because of the legislature turning Covid into an extended landlord supported rental assistance program for tenants. I'm already doing this with the rents I offer. I take my role as water provider and landlord seriously but I'm not a government supported entity. Again if the Government wants to support tenants, I'm all for it by giving them tax supported money to pay fair market rent not by unfairly burdening landlords.

Thank You!

Jim Small

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Other

West

Jordan

14 155th street se

Lynnwood

Wa

98087

4257451712

Jrgarp@aol.com

Renters aren't paying because government said they don't HAVE to.....I had to close my small construction business due to covid, and now rely 100% on my 4 rentals for income. .. I also have 2 house payments, insurance, repairs, and household bills.. 2 of my 4 renters are not paying.

They BOTH work full time. 1 of the families.. even went to Hawaii for Christmas so are completely capable of paying rent.. government has stolen my income, and the income of thousands of small landlords like me. There will be NO way to recover these losses. Government officials have offered Nothing to the landlords to recoup these losses. They have not cancelled property taxes. Or insurance premiums. Or mortgage payments. SOMETHING needs to be done!! The moratorium needs to be stopped! So landlords can get the houses rented to people that will pay the rent. The landlords that have renters that are blatantly string from us should have recourse.. we landlords should be allowed to evict the nonpaying renters. And get rent our homes to people that will pay the rent per the contracts they signed. This is outright THEFT from government and these renters !! Who are taking advantage of the moratorium

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Playle

Bryan

po box 873579

Vancouver

wa

98687

3609897900

bryanplayle@gmail.com

Fuck you!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Ramos

Myra

2877 N Nugent Rd M-1

Lummi Island

WA

98262

3607582374

myrabramos@icloud.com

The pandemic has brought not only extreme illness and death to our state; it has brought extreme economic hardship, especially to those who were hanging on economically even prior.

Renter who have lost their jobs and livelihoods need immediate, robust protection or they will become homeless, adding to that incredible crisis.

I ask you in the name of both humanity and common sense to vote SB 5160 favorably out of committee.

Thank you!

Myra Ramos

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Williamson

Gary

9627 MULLEN RD SE

OLYMPIA

WA

98513

3604858425

garywilliamson48@gmail.com

Oppose to this. If landlords have to burden the lost of rents, damages to property, and pay legal fees there is nothing left for them. This is insane.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Knotts

Michael

18219 NE 128th Ave

Battle Ground

WA

98604

360-608-2476

mknotts5@gmail.com

My wife and I moved from southern California to Southwest Washington in 1985. We moved here because we could not afford a house where we lived. We didn't want to leave our family but this looked like a place we could make our future. My wife worked a part time job while I searched for a job that would provide for our family. I found a union/guild job where I have worked for almost 36 years. We raised a family (5 children), provided significantly towards their college expenses, and worked hard to invest for our retirement. If we couldn't pay cash we did without. I currently drive a 19 year old truck and my wife drives a 13 year old Toyota. We could go out and pay cash for new vehicles but these work just fine.

Because of our commitment to live well below our means we have been able to purchase three rental houses. Our rents are usually below market and we treat our tenants well. They generally stay a long time. One of our tenants has been with us 12 years. The other tenants have been with us 21 years. Unfortunately sometimes you get a lemon and our third tenant we had to start foreclosure proceeding on in December of 2019. It cost us 2 months' rent and close to \$35,000 to repair this home to be rented. Then Covid hit and the ability to evict was taken out of our hands. Faced with the inability to protect our investment we chose to wait on renting this house out of concern a new and unknown tenant may move in and soon after quit paying as well as potentially damage our investment which is also a portion of our retirement income. This also forced me to put off my planned retirement as I could not afford to make multiple mortgage payments with just my pension and small amount of rental income.

As a side note, we believe in training our children to make good choices, to not be a burden on society, and to be responsible. One of my proudest moments came when we, as a family, were over at one of our properties. Two of my daughters were quite young. The one who was about 7 at the time was complaining about having to weed. The other, who was about 11 said "quit complaining Megan, this is our college education fund". I knew they had learned the value of working hard and planning ahead. Megan is now a pharmacist. She and her husband also live well below their means and are planning for their future.

There is a significant shortage of rental housing and making it harder on mom and pop rental owners is not going to help. In fact it is going to hurt. My wife and I have had multiple discussion and we will probably sell our vacant rental rather than face the uncertainty of being able to make that mortgage payment. If our other tenants move out we will have similar discussions as to the viability of owning rental property.

I find it incredible and disturbing that in times like this that the legislature would punish small mom and pop businesses with the SB 5160-Eviction Ban, SB 5139 Rent Control and Governor Inslee's proposed 9% capital gains tax all in one legislative session. I would ask that you please reconsider the ramification this has on those responsible everyday folks who struggle daily to provide for their family and for a reasonable retirement as well as provide a service for those who have need for housing.

Thank you for your time
Mike and Tracey Knotts

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Other

Connor-Green

Devon

P.O. Box 6184

Olympia

WA

98507

4159498500

dsconnorgreen@protonmail.com

Resolution Washington Written Testimony for SB 5160

We have equity concerns about the current version of SB 5160. Dispute Resolution Centers (DRCs) are statewide and the bill only provides access to early resolution for Washington residents in six counties. We anticipate the need will grow and are already hearing from additional courts that want to join the Eviction Resolution Program (ERP). Successfully addressing landlord and tenant conflict is at the heart of preventing homelessness given the impacts of COVID-19.

All Washington residents deserve equitable access to the three pillars identified by the Supreme Court in establishing the ERP: dispute resolution, legal aid, and rental assistance. Times of crisis are times to lean into collaboration, and we need all pillars to stabilize housing for all Washingtonians.

DRCs would like to see statewide early resolution with impartial, trauma informed mediators in SB 5160.

? Early resolution before filing is an upstream solution that helps Black, Indigenous, and People of Color who are disproportionately impacted by structural and economic injustice.

? Early resolution helps Washington to meet the eviction crisis now and homelessness prevention moving forward. The program cost for DRCs to implement statewide ERP is \$4.3M annually.

? Early resolution with DRCs through online, virtual and hybrid services are safe and accessible during the public health crisis.

We want to return to the original collaboration that created the eviction resolution program. This concerted effort by courts, legal aid, dispute resolution, landlord and tenant associations is critical to meet the crisis now and moving forward.

About Resolution Washington and the 21 DRCs Statewide

In 1984 the state Legislature established a framework for DRCs to provide a high-quality resolution alternative for disputes. DRCs "meet the needs of Washington's citizens by providing forums in which persons may voluntarily participate in the resolution of disputes" at no charge or according to the participants' ability to pay (RCW 7.75).

DRCs have addressed landlord and tenant disputes for over 30 years and partnered with the Department of Commerce in delivering the Foreclosure Mediation Program in response to the previous recession. In 2020, DRCs across Washington state directly served 59,309 residents.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Shedlock

Katy

1838 W Gardner Ave

Spokane

WA

99201

509-496-3541

katy.e.fitz@gmail.com

My name is Rev. Katy Shedlock, and I am writing to urge strong support of SB 5160. As a pastor and resident of one of Spokane's poorest neighborhoods, I have a front-row seat to the eviction crisis. The primary reason I've seen good tenants lose their housing is because someone in their household has died. These are my friends and neighbors who I've tried to help, and during the Covid pandemic I've learned how to make complaints on their behalf when their landlords have illegally threatened eviction. I've made phone calls and tried to help people navigate a confusing patchwork of local rental assistance. This bill is an important step towards getting through this crisis and I urge your support. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Ennis

Mike

1414 Cherry St.

Olympia

WA

98507

360-870-2917

mikee@awb.org

My name is Mike Ennis and I'm government affairs director for the Association of Washington Business. AWB is the state's largest and oldest business association, with about 7000 companies as members.

I'm writing in opposition to SB 5160.

The broader business community is concerned that this bill goes beyond the COVID crisis and will permanently reform the eviction process. Creating additional barriers for landlords will further upset the housing balance, thus diminishing housing opportunities for everyone. Instead, rental assistance programs continue to be the most effective way to create housing stability at this time.

AWB is willing to work with lawmakers on finding a better path.

Thanks.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Sialer

Violeta

341 Shangri-La Way NW

Issaquah

WA

98027

4252605909

sialervioleta@hotmail.com

I am Violeta Sialer, a mother, an Issaquah renter, a school bus driver, and a member of Washington CAN.

Iâ€™m testifying in support of SB 5160, to protect renters from being made homeless.

Like many of my neighbors, in the Rose Crest Apartments, Iâ€™ve struggled to pay my rent each month during the pandemic.

With school closings, and unsafe conditions, I wasnâ€™t able to work my normal hours and make my regular wages. I consider myself lucky because about 100 of my co-workers have been laid off.

I, like many renters, have not been able to save up money this year. Instead weâ€™re just trying to stay afloat and pay our bills.

Every time the Eviction Moratorium has been close to expiring, weâ€™ve been terrified that it would and weâ€™d be made homeless.

The neighbors in my complex are single mothers, and victims of traumatic experiences, and they are just starting to get a new start to life. Getting eviction would only add new trauma, especially for the families adjusting to new life like school online.

I have a neighbor who died from COVID because she had to work to pay rent and survive. Now her teenage son is here alone.

Everyone is struggling right now, and renters are already bearing the brunt of the pandemic crisis. Weâ€™re more likely to be essential workers, more likely to be in communities more devastated by COVID-19.

All of us, whether weâ€™re renters, homeowners, or landlords, will be better off if renters stay housed. Pass SB 5160 to keep renters in their homes. That way our community can fully recover.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Decline
Cele

Decline
Aberdeen
WA
98520
000-000-0000
Decline@decline.com

English Translation

My name is Cele and I live in Grays Harbor County, in Westport. I am a mother of 5 children, including a newborn. I am medically unable to work. My husband works at a company in South Bend, but with the pandemic his working hours were reduced. In addition there was an outbreak of COVID 19 throughout the company. Due to this we fell behind with the rent on our mobile home. On November 1, 2020, the landlord wanted to evict us. If not for the moratorium and having qualified for the payment of rent with ERAP (rental assistance) we would be homeless. With the birth of my son I have to go to medical appointments and my husband has to take me to medical appointments and we cannot afford the expenses. Like me, many people in my county suffer from not being able to pay the rent and from evictions. Here the houses are precarious and unhealthy. I ask you to please protect renters and support this bill. Thank you so much.

Original - in Spanish

Mi nombre es Cele y vivo en el Condado de Grays Harbor, in Westport. Soy madre de 5 hijos, incluido un recién nacido. Estoy medicamente inhabilitada para trabajar, mi esposo trabaja en una company en South Bend, pero con la pandemia le redujeron sus horas de trabajo, además que hubo un brote de COVID 19 en toda la compañía, debido a esto nos atrasamos con la renta de mi mobile home. El 1 de Noviembre del 2020, la propietaria nos pidio desalojarla, de no ser por la moratoria y haber calificado para el pago de renta con ERAP (asistencia de renta) estaríamos sin hogar. Con el nacimiento de mi hijo tengo que ir a citas medicas y mi esposo tiene que llevarme a citas medicas y no podemos con los gastos. Asi como yo, muchas personas en mi condado sufrimos por no poder pagar mi renta y por los desalojos. Aqui las viviendas son precarias e insalubres, les pido que por favor protejan y apoyen esta propuesta de ley. Muchas Gracias.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

**Pro
Decline
Eviy**

Decline
South Bend
WA
98586
000-000-0000
decline@decline.com

English translation

My name is Eivy. I live in South Bend, WA. I have a family, my son is 5 months old and my wife's name is Lizeth. We live in a trailer park, I work in construction. It's a small company from here in South Bend. The pandemic affected me a lot in my work. I have lost many hours of work. I owe \$1800 in rent for 3 months of October, November, and January. We received an eviction notice twice: the first was in November and the other was in December. December I paid the rent for fear of being evicted with my family. December I can only pay because I had to borrow money and I had to work a few days risking bringing an illness home from work. I have also applied for rental assistance but they never helped us. My landlord has threatened us to raise interest on the rent payment and also to evict us. My family and I are afraid that he will evict us and we have nowhere to go. We ask that you support us with the debt of \$1800 with rental assistance and this bill.

Spanish original

Mi nombre es Eivy. Vivo en South Bend, WA. Tengo una familia, mi hijo tiene 5 meses y mi esposa se llama Lizeth. Vivemos en un parqueadero de trailas, yo trabajo en construccion. Es una compania chica de aqui de South Bend. La pandemia me afecto mucho en mi trabajo. He perdido muchas horas de trabajo. Debo \$1800 de renta de 3 meses del octubre, noviembre, y enero. Recibimos una notificaci3n del desalojo dos veces: la primera fue en noviembre y la otra fue en diciembre. Diciembre di el pago de la renta por miedo a que me desalogara con mi familia. Puede pagar diciembre porque tube que pedir prestado y tube que trabajar algunos dÃ-as arriesgÃndome a traer una enfermedad ami casa del trabajo. He tambien aplicado para asistencia de renta pero nunca nos ayudaron. Mi dueno nos a amenazado en subir intereses del pago de la renta y tambien en corrernos. Mi familia y yo tenemos miedo de que nos desaloje porque no tenemos a donde ir. Pedimos que nos apoyen con la deuda de \$1800 con asistencia de renta y esta propuesta de ley.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Decline
Emma

decline
Aberdeen
WA
98520
000-000-0000
decline@decline.com

English translation

Hi. I am supporting these bills because we as a family have been dealing with this situation that we are living right now, battling a lot because my husband did not have work for several months and we asked for help to pay the rent but there was little help and not even for several months. Right now we are worried about paying rent this month and we do not know how we are going to pay because my husband is not working much and we also have to eat. It would be good if there could be a little more help, not all the time because it is not possible either, but a little help would be very appreciated.

There are many families who are not able to pay rent and we are worried that right now in these times our rents will rise, and with the situation we are in, that should not happen, because we barely have enough to get through it. Please listen a little bit and take your time to look at what we say. Take into account that it is a little bit of our time and I think that sometimes we would feel bad to ask for help, but at this time we should not, on the contrary it is better that you listen to us.

Spanish

Hola. Estoy apollando esta peticion por que nosotros como familia hemos con esta situacion que estamos vivienda ahorita, battallado mucho porque mi esposo no tubo trabajo por varias meses y pedimos ayuda para pagar la renta pero no mas ayudan por poco y la ayuda no es por varios meses. Ahoritas estamos preocupados para pagar renta este mes y no sabemos como vamos a pagar porque mi esposo no esta trabjando mucho ahorda y tambien tenemos que comer. Seria bueno que no ayudarian un poquito mas, no todo el tiempo por que tampoco se puede, pero un poco de ayuda seria muy agradecida.

Hay muchas familias que no tienen para pagar renta y estamos preocupados que ahorita en estos tiempos nos vullan a subir la renta, y con la situacion que estamos, no deberia pasar eso, por que apenasnos alcanza para irla pasando. Por favor escuchen un poquito de las lineas y tomen su tiempo para mirar. Tomen encuesta que es un poquito de nuestro tiempo y pienso que a veces nos daria pena para pedir por aayuda, pero en estos momentos no nos deberia, al contrarlo es mejor que nos escuchen nuestras voces.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Pro
Decline
Beatriz**

decline
Aberdeen
WA
98520
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decline@decline.com

English translation

My name is Beatriz and I live in Aberdeen in Grays Harbor County. I am a mother of 17, 12, and a 3 month old child. My husband cuts wood, but during the pandemic his hours were reduced and with the forest fires I did not work in September, the same month that the youngest was born, so we fell behind with the rent. Financial assistance "ERAP" (rental assistance) helped us pay for it.

In November the owner evicted us because she needs a place to live. Since then we have looked for a rental that is affordable and affordable for us and that is healthy in our rural area. I had to go back to work to earn what they ask us for for rent, which is \$4200, between deposit, and first and last month's rent. Without this policy, my family and others will be left homeless when the moratorium expires. Thank you.

Spanish

Mi nombre es Beatriz y yo vivo en Aberdeen en el Condado de Grays Harbor. Soy mama de hijos de 17, 12, y 3 meses. Mi esposo corta madera, pero durante la pandemia le redujeron sus horas y con los incendios forestales no trabajo el mes de Septiembre, el mismo mes que dia luz al mas pequeño, por lo que nos atrasamos con la renta. La asistencia de venta "ERAP", nos ayudo a pagarla.

En noviembre la dueña nos pidio desalojarla porque necesita donde vivir desde entonces hemos buscado un alquiler accesible a nuestro presupuesto y que sea saludable en esta area rural. He tenido que regresar a trabajar para juntar lo que nos piden de alquiler que son 4200 dolares, entre deposito, primero y ultimo mes de renta. Sin este proyecto de ley, mi familia y otras mas quedaran sin hogar cuando expire la moratoria. Gracias.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Cole

Wendy

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Nearly a year after the start of the pandemic, individuals and families everywhere are struggling economically and otherwise. Through no fault of their own, many have lost their jobs, businesses, and other means of making a living. Now is not the time for people to be losing their homes and shelter. There are too many homeless now, and we should be doing everything we can to prevent more from entering that awful condition.

As a landlord and citizen in Bellingham, I support SB 5160.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Ferrari

Lisa

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Tacoma

WA

98418

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As a former landlord, I support SB 5160. I am concerned about the implications of leaving tenants and landlords unsupported as they deal with the economic effects of this pandemic. Without income, tenants are at real risk of eviction. Many landlords need rent income to pay their mortgages. Without support, both groups face economic hardship from which they may not recover. It's painful to think about fellow Washingtonians in such straits. It's also painful to think about the economic, social, and public health implications of widespread eviction and landlord insolvency. I urge you to pass SB 5160! Thank you.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Pollock
John

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Baltimore
MD
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Thank you so much for the opportunity to provide a national perspective on Washington State's right to counsel bill. My organization, the National Coalition for a Civil Right to Counsel, has been involved in all the successful eviction right to counsel legislation to date, and we're currently supporting efforts in dozens of jurisdictions around the country.

We are starting to see the results from cities that have enacted a right to counsel. New York City, the first to provide such a right and the city with the most evictions in the country, has seen 86% of tenants remaining in their homes while the eviction filing rate has dropped by 30%. San Francisco saw a 10% filing rate drop in just one year, and two-thirds of all represented tenants are staying housed. And New York City housing court judges testified that the right to counsel had made their courts more efficient and just.

However, even before any city had enacted a right to counsel, we already knew that guaranteeing counsel for tenants changed the game in terms of outcomes:

• A Massachusetts pilot examined tenants who received full representation to those who were given day-of legal assistance and found that the full representation tenants stayed in their units twice as often, saved four times as much on rent, and paid nothing to their landlords on average, compared to over \$600 for the tenants with limited legal assistance.

• A California study found that tenants with full representation stayed in their units three times as often as those receiving limited legal assistance or no legal assistance, and none of the full representation tenants paid their landlords anything, compared to over 50% of tenants with limited assistance. When tenants did have to move, the fully represented tenants were given twice as long to do so.

• In Hennepin County Minnesota, represented tenants were twice as likely to stay in their homes, received twice as long to move if necessary, and were four times less likely to use a homeless shelter than those without counsel. The rate of tenants who won or settled their cases was 96% for those with counsel but only 62% for those without counsel. Most dramatically, 78% of represented tenants left with a clean eviction record, compared to 6% of unrepresented tenants.

• A California study found where tenants had to move, 71% of represented tenants had obtained a new rental unit one year later, compared to only 43% of pro se tenants.

• Stout, a financial analysis company that has produced extensive right to counsel reports in a number of cities, has consistently found that a right to counsel leads to more than 90% of tenants avoiding disruptive displacement. And Stout has also consistently found that a right to counsel saves millions more than it costs up front. For instance, in Philadelphia, they found that a \$3.5 million investment in right to counsel would yield \$45 million in savings.

Putting aside the numbers, it's impossible to overstate how critical this bill is, both before and during COVID-19. Eviction cases implicate virtually every basic human need a family can have: safety, mental and physical health, child custody, employment, education, and so on. Yet the massive imbalance of power between landlords and tenants in the courtroom has led to the evictions process becoming a pro forma procedure devoid of due process that nearly always yields the same result regardless of the facts or law. In Baltimore, where only 1% of tenants had representation prior to the passage of a right to counsel, a study found that 80% of tenants had a potential defense to eviction but only 8% actually successfully did so without representation. And during COVID-19, people's lives are literally at risk when they lose their housing. Plus the COVID-19 protections put into place by the federal and state governments, such as moratoria and rent relief, only become fully effective with the provision of counsel. Many tenants without counsel will be unable to secure rental assistance, or will secure it only to have their landlords evict them anyway, or will not know that the eviction violates a moratorium. The right to counsel is what makes these other protections meaningful.

I'm pleased to have had the chance to share this data with you, and am happy to answer any questions you may have.

Sincerely,

John Pollock
Coordinator, NCCRC

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Milholland

Erin

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I come from a family that has been a small affordable housing provider for over 40 years. 2020 was going to be the year that me and my spouse purchased our first multi-family home to provide additional income to our young growing family, and provide safe and affordable housing to our community. Then COVID-19 happened. We waited for things to pass like, many people before, making an offer on our future income property. The strict moratorium on rentals with zero protections for the housing providers had us nervous about jumping into the market. Tenants didn't even have to prove they were affected by COVID-19 in the state of Washington and could simply stop paying without any recourse. Small housing providers are being forced to work and provide housing without any compensation. We decided that if we were to get a tenant that didn't pay for 6 months, we could probably float that with making sacrifices. With SB-5160 making it 2 years after the emergency order being lifted, there is no way my family would survive without income from our property. This also puts a large burden of debt on the unpaying tenant. SB-5160 provides no plan to address the debt that housing providers are experiencing today, it seems to just kick the problem down the road. We made the decision to not purchase a rental property at this time as small housing providers are being forced to give up their property to the state moratorium, but still have to provide maintenance and repairs in in several cases water, sewer, electricity, and garbage services. Do the utility companies have to provide their service without pay? Small housing providers still have to pay taxes, taxes pay for city and state services. Do police, fire, government employees have to work for free? Make the burden of proof for hardship from COVID-19 on the tenant at the very least. If they are not affected, allow the small housing provider get their house and income back. Allow them to evict normally if they are not affected by COVID-19. No one wants to evict anyone, but we need tenants to pay rent so we can pay bills. SB-5160 is full of complicated new permanent changes to the eviction process. After a full year of allowing unpaying tenants to stay in rental housing for free, please consider the health of the residence and get housing providers protections and assistance first, before passing one-sided bills like SB-5160. If SB-5160 were to pass there will be many housing providers that will have no choice but to close down rental units in order to survive, leaving less options for safe and affordable housing to future tenants. Thank you for your consideration.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Moran

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I have just ret'd from bringing dinner to a homeless encampment and I come home with the feeling that there but for the grace of God go I. These are unprecedented times that require extra ordinary measures to provide protection to renters in this state. Evictions are catastrophic - just one step away from a homeless shelter and catastrophic for the spread of COVID-19. Your real work begins now - we are in the middle of a public-health crises with no clear end in sight. Please approve this legislation that will protect those in rented dwellings and prevent these pandemic-related hardships.
Thank You.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Nelson

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Maple Valley

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We made some radical personal financial choices to purchase our first investment property in Pierce County in 2017. One of the properties that we own is intended as an investment for our young daughter's future college tuition. We invested locally here in Pierce County with the sense that clean, safe, affordable housing is lacking and that we could help fill that gap. Our intention, which we are already achieving, is to invest not only in our family, but also in the community, and in people needing a great place to live.

We take the responsibility of providing quality housing very seriously. We invested over \$70,000 into one of our triplexes (and therefore the local economy); when we purchased, it was a dilapidated building with standing water in the basement, but it is now a well-maintained, attractive home for three tenants. Many of the improvements that we make are for the safety or comfort of our tenants and benefit them more than they impact the property value or give us any additional revenue.

Being a property owner is so much more than just collecting rent. We charge a fair rate for our rentals, and in return, much of the "profit" that we receive from rentals goes right back into the property to make sure it stays a great place to live. We must pay the mortgage, taxes, insurance, utilities, pest control, landscaping, and repairs and maintenance. We also pay for items like new windows, new roofs, new HVAC systems, new appliances, laundry machines, security systems, and more. Our "profit" is actually quite small and does not cover our time or materials some months.

We must have paying tenants in our rental units to operate the property. We never, ever want to evict a tenant but simply cannot front the cost of maintaining a property and paying the mortgage when there is no income to support it. We currently have a non-paying tenant who refuses to communicate with us regarding their rent payment. This tenant has not paid for the last two months and has not attempted to contact us to find a solution. Understanding that times are very tough right now, we have reached out multiple times asking what the situation is and what kind of payment plan would help. To date, no payment plan has been accepted, and this tenant refuses to provide any further information. We have even provided this tenant with rent assistance resources and they still do not take action. In the meantime, we are responding graciously to complaints about the property, and we are paying the expenses (despite a lack of income or any goodwill from this tenant) because we are abiding by our responsibilities outlined in the lease agreement.

Handcuffing our ability to enforce our lease contract with a prolonged eviction ban only encourages this tenant to continue their negligent behavior. Should this continue for the next two years as SB 5160 proposes, the lack of income will put us at risk of losing the property. This would in turn jeopardize the other tenants living there. Should the other tenants at this property lose their homes because SB 5160 encourages one tenant to not pay rent?

Why should property owners have their private property rights violated and be forced to foot the bill for a pandemic that has put a major economic strain on all of us? We cannot afford to provide free housing for two more years. The Legislature must think about the other citizens of this State who have worked to provide affordable, safe housing to tenants. SB 5160 as well as the current eviction ban are exceedingly short-sighted policies. Allowing a tenant to remain in a unit without paying, while accruing more and more debt and forcing property owners to bear the financial burden has and will continue to devastate our local economy. Allowing this to continue will end up creating an insurmountable amount of debt that will cripple both tenant and property owners alike.

SB 5160 is one-sided in affording protection to tenants and ignoring the assistance that housing providers need NOW in order to continue maintaining their properties. If SB 5160 were to pass, my family would likely need to close our rental units, leaving additional tenants without the quality, affordable housing they have come to depend upon. I urge the Legislature to address the problem of affordable housing in a holistic manner that includes remedy for housing providers like myself who have invested into communities and people in Pierce County and will continue to do so if it is possible.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Bakke

Simon

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Honorable Senators,

This bill could be the only thing standing in between many Washington families and homelessness as we face the uncertain economy of the COVID pandemic. Please pass it, extend the eviction moratorium, stop predatory late fees, help give legal representation to tenants, and ensure tenants have access to rental assistance programs.

Landlords will still be able to receive back-owed rent through payment plants. Landlords will not become houseless is this bill passes. But if it does not, people who've lost jobs and livelihoods in this harrowing year just might.

Thank you,
Simon Bakke
Bellingham

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Veith

Megan

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Seattle

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Dear Madam Chair and Committee Members,

Thank you for the opportunity to submit written testimony in support of SB 5160.

My name is Megan Veith and I am the Senior Manager of Policy, Advocacy, & Research at Building Changes. We are a statewide nonprofit organization that advances equitable responses to homelessness in Washington, with a focus on children, youth, and families and the systems that serve them. At Building Changes, we believe that communities thrive when people have safe and stable housing and can equitably access and use services.

The pandemic has had horrific impacts on the children, youth, and families we serve, with COVID-19 hitting people of color especially hard, just like evictions and homelessness disproportionately impact people of color. Protections against eviction as well as the harms caused by evictions are more important than ever because evictions can lead to homelessness. A recent report by the King County Bar Association and the Seattle Women's Commission found that in looking at 2017 evictions in Seattle, most people who were evicted became homeless, with 37.5% completely unsheltered, 25.0% living in a shelter or transitional housing, and 25.0% staying with family or friends.

Preeminent scholar on evictions, Matthew Desmond, found that every year in the US, several million families are evicted from their homes. This is especially alarming since many youth and families experiencing homelessness are not prioritized for traditional homeless services and are forced to stay with family or friends, also known as "couch-surfing" or living "doubled-up." While this caused concerns for people's health and education outcomes before COVID-19, living doubled-up or couch surfing is especially dangerous during COVID-19, when social distancing is key and the fear of transmission to elderly or other at-risk folks is very real. We cannot add the additional trauma of a person getting evicted and then infecting friends or family members because they are forced to live in these situations.

The same report referenced above also found that of evicted respondents with school-age children, 85.7% said their children had to move schools after the eviction, and 87.5% reported their children's school performance suffered "every much" because of the eviction. We also know that homelessness leads to poor outcomes for students. In Washington State, we have over 40,000 K-12 students identified as experiencing homelessness. 60% of them are students of color. Based on our analysis of OSPI data, we know that academic outcomes for students experiencing homelessness in Washington, such as attendance, language arts proficiency, and math proficiency, remain well below those of students who are housed. Students experiencing homelessness are suffering even more now during COVID-19, with many lacking access to food, wi-fi and technology, and behavioral health supports. The King County Bar Association report also found that evictions negatively impacted tenants' health: 36.7% of survey respondents reported experiencing stress, 8.3% experienced increased or newly onset depression, anxiety, or insomnia caused by their eviction, and 5.0% developed a heart condition they believed to be connected to their housing situation. Homelessness also leads to poor health outcomes, such as food insecurity and negative physical and behavioral health concerns.

Research also shows that mothers who were evicted in the previous year experienced more material hardship and were more likely to suffer depression, compared with those who avoided eviction. In our research on maternal health and homelessness, Building Changes found that pregnant and postpartum women experiencing homelessness may face: increased risk of multiple pregnancies; acute and chronic health conditions; alcohol and substance abuse; and stress, isolation, and depression. Lack of adequate housing is also directly correlated with infant mortality.

Most importantly, there are severe racial inequities at play here. In the King County Bar Association study referenced above, 51.7% of tenants in eviction filings were people of color; 31.2% were Black tenants, experiencing eviction at a rate 4.5 times what would be expected based on their demographics in Seattle. We see similar disproportionalities in homeless populations and those most impacted by COVID-19.

We urge the committee to support SB 5160 and protect children, youth, and families from evictions and homelessness. This is about equity. This is about justice. This is about not causing further harm and trauma to people that are doing their absolute best to survive. Please vote yes on SB 5160.

Megan Veith

Building Changes

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Shilhanek

Kelly

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Bellingham

WA

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360-927-9342

kellyshilhanek@gmail.com

Dear Senate:

My name is Kelly Shilhanek, and I am a resident of Bellingham and live in Whatcom County. I am writing to strongly encourage you to support Senate Bill 5160 that will protect families from evictions caused by the economic damages of this pandemic.

As a middle school paraeducator, I know that the students I support will benefit from passing SB 5160. I work in the Burlington-Edison School District, and the majority of our students are students of color. Because of systemic racism, families of color- especially Black and Latinx families- have been disproportionately impacted by illness due to COVID-19 and the economic downturn. That means that many of my students's families are worried about paying rent next month, whether that's due to missed wages because of COVID or lower income due to lost work. Students are already struggling to keep up with the demands of virtual learning- they do not need another stressor like foregoing food or other survival needs to pay rent to negatively impact their learning. Pass SB 5160 so that families have the right to a payment plan and stability in their housing.

As a paraeducator that provides Special Education services and supports students with learning disabilities, I know passing SB 5160 will help my already struggling students survive this pandemic. The virtual learning model is challenging, and requires many skills that many of my students are still developing. Often it is the relationship we have cultivated with students and their families that help motivate them to show up to online classes, support sessions, and in-person tutoring. However, my students are predominantly students of color, which means that their families are more likely to be renters and to be impacted economically by COVID-19. Without SB 5160, they are disproportionately more likely to get evicted, which often leads to severed relationships between students, peers, and educators, missed school work, and added household stress. My students deserve all the support they can get- not the threat of eviction and the negative academic outcomes it would cause. Pass SB 5160 to prevent evictions and widening inequitable academic outcomes among students of color.

Last, as a white, middle-class woman, I know that if I was a student right now, I would emerge from this pandemic virtually unscathed. Protected by the privilege of my racial identity and my family's home, I would have continued to be academically successful, unmarked by the economic stressors that so many working-class, families of color are experiencing due to systemic racism and economic injustice. But that's not right- students from all race and class backgrounds have the right to a quality public education that prepares them to contribute to society and to live a meaningful life. In order to do that, we must ensure that students have what they need to be successful, which includes stable housing- especially during a pandemic. Pass Senate Bill 5160 to ensure a more just public education system in Washington State.

Thank you for protecting Washington families from eviction during this pandemic.

Sincerely,

Kelly Shilhanek

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Lee

Debi

3311 E 18th St

Vancouver

WA

98661

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We absolutely OPPOSE this bill !!!!!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Cardelli

Paul

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KENNEWICK

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Rent control is not good for struggling landlords and tenants in Washington state. Landlords have had to pay taxes and bills on properties that they may not have received rents for since the pandemic started.

Yet there are bills to raise taxes and fees while blocking Landlords from increasing rents to cover these fees and their costs.

This will result in many single family home and smaller units and even larger apartments to stop renting out their properties to sell on the market for highly in-demand housing and condos. They will leave those tenants needing to rent with fewer and higher cost rental options.

There are many honest hard working landlords in Washington state, do not make us pay for the few landlords where the existing laws were not enforced properly. Do not support this bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Capes

Megan

-

Tacoma

WA

98444

7705008063

capesmegan@gmail.com

I'm writing in support of SB 5160 and urge you to pass this bill out of committee.

As a middle school educator at a Title I public school, I see firsthand the impact of displacement on our community before this pandemic, but even more urgently now. Before the pandemic, it was common for a student to enroll/disenroll once every couple of weeks due housing insecurity and families being displaced in search for affordable housing. This brings up a memory of one student, an 8th grader, who had been to 6 six schools during his middle school experience, which limited his ability to build deep connections with his peers and teachers as well as impacted his educational growth and learning.

With remote school and the eviction moratorium, the school movement has seem to have halted for the time being, but the housing crisis is still an ever-present force impacting students and families across the state. One of my students has missed out of academic learning throughout the month of January so far due to lack of income due to COVID. Her single mother had to make a choice of whether to pay rent or pay for internet -- choosing rent to not fall behind even more.

This story is not just singular to my school, but echoes throughout our state. Our state is currently facing around \$800 million in back rent as of now. Current estimates of rent assistance (both state and federal dollars) will not come close to meeting that need, which will only continue to build. Rental assistance must be paired with bold policies to protect our community, which is why I am in support of this bill. With so much stress continuing to build in our lives due to COVID, the priority should be measures to ensure housing stability, without it will cause rampant displacement, rise in homelessness, and unfortunately a drastic increase of school movement.

I urge you to support this bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Pro
Budd
Kate**

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Vancouver

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The COVID crisis has shone a spotlight on the many health and housing inequities in Clark County and across WA State, particularly for BIPOC communities. As we emerge from this crisis, stronger Residential Landlord Tenant Act protections need to be in place to stabilize tenants and make sure those receiving rental assistance may stay in their rental space. Currently, once the eviction moratorium ends, if a tenant is in a month-to-month tenancy there is nothing stopping a landlord from accepting rental assistance and then issuing the tenant a no cause notice to vacate. No cause notices to vacate do nothing to preserve housing stability, and would defeat the whole purpose of rental assistance. This would also be a massive waste of public resources if the tenants cannot stay in their homes, and we would see an increase in housing instability and homelessness. Landlord Access to Rental Assistance is a key and supported piece of this bill to help mitigate rent debt owed to a landlord. Locally, we have seen our BIPOC community members experience No Cause notices at a higher rate than white tenants. We ask that all renters have the ability to remain living in rental units should they be following the tenets of their lease/rental agreement.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
ARNOLD
CHANTELL

PO BOX 6539
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WA
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5093964315
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I am currently a landlord of more than 30 properties - all of which are rented below fair market value and considered affordable housing. Right now I am having trouble paying bills because I have offered rent forgiveness, rent discounts, work in exchange for rent, and assistance filling out assistance paperwork. I have 15 tenants who are behind on rent- more than 1/2 have refused to work with us and have stopped paying rent. One has a brand new car, others have posted photos online of vacations and new purchases. Another tenant abandoned the rental in the middle of the night- and shut off the electricity last week- during freezing weather- they had all ignored all requests for a payment plan. The unit was left with broken windows and filled with trash. Other tenants are months behind and have applied for rental assistance- but all agencies are behind on applications and processing - and we have been told checks are coming- but we have been waiting 3 months (or longer) and have not seen anything. Tenants are also not taking care of yards, reporting repair issues- (\$900 water leak in December, broken windows, unauthorized animals, drug use, registered sex offenders ... my list could go on and on with what I have dealt with the last 10 months.)

Right now the amount of unpaid rent in more than \$20,000 since the start of the pandemic. Property taxes have increased (even on mobile homes), and we had to pay the increased tax amounts in April and October- but we could not raise rents. Utilities have increased- electric, water, sewer, garbage- but we still can not increase rents. Minimum wage has also increased- so our repairs and labor costs have increased. Lumber and other building products have also increased- but we still can not increase rents.

We are housing tenants for free- and right now I am trying to work from home and help my 3 children with their education (11 and younger - schools are still closed) and still trying to work and provide for my family. I have to work 2 jobs just to support my family and my rentals. I have put every dollar I have made working into my rentals- for down payments, repairs, taxes, etc.

Why I am being forced to support tenants who are collecting unemployment and working- but refusing to pay rent? Why should my tax dollars support paying for free legal help for them? I am not permitted free legal aid. I also am forced to provide services without collecting rent. HOW MANY OTHER BUSINESSES ARE FORCED TO PROVIDE SERVICES WITHOUT PAYMENT OR EVEN A PROMISE OF PAYMENT? We already work on margins of less 10%, and it is hurtful that the governor suggests we should "take out a loan" or "sell the property" if we are struggling. How is that going to help the housing issue? Both make the situation worse! And what bank will loan on a rental where tenants are not paying rent?

We have struggled along knowing it was for the greater good- but this is too much for us. This bill takes away our property rights without compensation. As a longtime landlord I am proud of the fact that we have worked with tenants and do not evict tenants and try to work with them in all situations- but when a tenant doesn't pay- even with a judgement in place or payment plan- tenants do not repay what they owe. They just move on - and usually it is not worth the time or the costs to go after a non-paying tenant who moves out. This works out better for the tenant because they do not end up with an eviction on their record or a judgement- and a landlord can re-rent a unit and have rent coming in to pay the bills. This new bill will force landlords to use the courts to enforce their rental contracts - and extend the time for evictions- so the landlord will lose more money - and thus they will be forced to increase rents just to stay in business.

This bill will hurt affordable housing. Small private landlords who provide the majority of non-government subsidized housing will sell and be forced to stop providing affordable housing. Those who do stick around will refuse to take a change on tenants who are not perfect, units will fall into disrepair. Rents will increase. It will be very hard to place any tenant who does not have perfect credit, or has any type of past, lower income, or bad rental history. Investors will look to other areas to buy property that are more landlord friendly- this is already happening. After being born and raised in Washington- I am looking at other states I would rather live and work where my voice is heard. I would rather my tax dollars from my businesses go somewhere else if this bill passes- because Washington doesn't seem to care about those who provide housing for others- and this bill is proof of that.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Anderson

Terri

W. 25 Main Ave

Spokane

WA

99201

509-216-7805

terria@tenantsunion.org

I direct the Spokane office of the Tenants Union of Washington State and I am speaking in support of Senate Bill 5160. Our tenant hotline and clinics remain remotely open throughout the pandemic so we talk to tenants in Spokane and eastern Washington every day. Fortunately, the moratorium on evictions has kept renters safe and in their homes but every time the moratorium was close to expiring, as it was in June, August, October and December, we received a dramatic increase in calls from tenants in a state of panic and desperation knowing that when the moratorium ends they will immediately be evicted because they owe rent. Spokane County failed to provide rental assistance with CARES Act funds and the little that the cities provided was not enough and is now all gone. This bill will provide protections to keep tenants housed and end the panic and desperation while the economy recovers and they return to work and pay the back rent. This will also provide time to obtain rental assistance and closes loopholes that will displace families and individuals even after the rent is paid in full. Mediation and right to counsel give tenants hope and the resources they need so they don't give up. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Anderson

Terri

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Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Pro
rapaport
kainui**

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Bellingham
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I write this testimony of PRO in support of SB 5160, Landlord-tenant relations.

Thank you Sen. Lovelett for your work in supporting this bill.
When you fight for renter protections, people will be behind you.

I am voting PRO for this bill because it provides concrete protections for renters before impending eviction due to non payment of rent during the eviction moratorium. I support this bill because it protects renters that are low income, making it required for landlords to seek rent assistance, negotiation payment plans before trying to make collections. This bill also provides counsel for these tenants in eviction proceedings.

Housing protections are not just for low income community members. It also extends to the largely BIPOC communities as well in this pandemic that has taken even more of a toll on them. Landlords should not have the ability to end tenancy based on lost income due to COVID19. Tenants in the country should have these same supports as those in the city as well.

If I get evicted, It wouldn't be easy to find another stable rental easily.

I've seen many friends and community members evicted or threatened to get evicted during this moratorium. Reasons they gave included how one landlord was worried about COVID, and required their tenant to either choose to basically never leave the house except for groceries or be evicted.

I was almost evicted before when a landlord decided without any reason they just didn't want to have a tenant anymore. I had even fewer resources back then but was lucky I found a new place relying on the generous support of a person after I asked a local congregation for support.

Thank you,
Kai Rapaport,
Bellingham

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Brooks

Jaime

208 W 34th St

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JLBrooks@outlook.com

Hello, my name is Jaime Brooks. I am a single mother of six; four of which live in my home. I hold a BA degree in Public Affairs with a minor in Criminal Justice. I've worked in law, corporate marketing, and as a social worker for the city and county. I now work in the technology and communications field. I lost nearly half of my household income one year ago due to job loss as a result of the covid shut-down and subsequent economic collapse. I maintain full-time employment, but it does not make ends meet; taking home \$3200 per month. My rent is \$2000 per month for 1350 sq ft. I do not qualify for food or public assistance.

I made a choice to prioritize rent payments over utilities, car payments, medical bills, and even food because I thought it was the right thing to do. I asked my landlord to consider reducing the amount of rent; she laughed. I continued to give the majority of my income to my landlord and as a result, my car was repossessed, utilities fell behind, and the junker car I now drive is on its last leg needing major repairs. In December, I paid half of my rent in order to catch up on bills. My landlord replied with a 60 day vacate notice.

Choosing to do the right thing by contributing to the real estate and gentrification game, AKA: paying overpriced rent, has severely damaged my credit, which is now a barrier to finding a new home. I am looking to purchase a van to live in.

Additional comments:

We are at a crucial point in the history of humanity with collapsing ecological systems and horrific suffering created by an economic model designed to self-destruct. Unchecked capital accumulation and corporate power have been exchanged for the essential needs to sustain life on Earth for the many, while preserving the illusion of wealth for the few. The global economic collapse is but one of many cascading effects that were predicted by researchers, economists, and scientists around the world for many years.

Increasing pressure on governments to take wise action in regards to what experts call the sixth mass extinction is now upon us. The unwillingness and inability of captured governments to regulate the destructive practices of the Corporate State are a clear and direct cause of the dark ages we now face. Food scarcity, social unrest, multiple health crises, and increased biodiversity loss might be seemingly unrelated events to the housing crisis being discussed today. However, when examined in relation to civilization deterioration, one can see how detrimental housing is in the greater scheme of things. Massive homelessness will inevitably result in an extraordinary increase in human suffering and criminal activity including theft, vandalism, violence, starvation, exposure, and death. The potential disruptions to infrastructure, institutions, transportation, and the distribution of goods will be far greater than any police department or military power can respond to. We must prioritize protecting public health and safety above a landlord's investments or income. Minimizing catastrophe by slowing its rate of speed is mere common sense. I strongly urge you to act accordingly.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Thomas

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RE: PRO SB 5160/Kuderer

The COVID-19 pandemic and economic downturn has not hit all households equally. Households of color “ especially Black, Latinx and Indigenous households and low-income renter households “ have all been hit much harder. Many are struggling to meet their basic needs and have only been able to maintain a roof over their heads because of the state’s eviction moratorium. Without the state moratorium, which is now scheduled to end on March 31st, many renters would have already been evicted and would be experiencing homelessness. The Census Bureau data has consistently revealed troubling truths about the impact of the economic downturn:

Between 140,000 “ 180,000 of Washington’s renter households are behind in rent each month,

Black and Latinx/Hispanic renter households are consistently more likely to report being behind in rent each month,

Hundreds of thousands who are currently able to pay rent are relying on unsustainable means to meet their basic needs: credit cards, loans from friends and family, and depleting their savings.

Households of color have been disproportionately impacted for a number of reasons. Systemic racism has driven down wages and access to homeownership opportunities for communities of color, leaving expensive rental housing as the only option. For example, statewide, Black households are twice as likely as white households to be renters. On top of this, Black and Latinx households have been more impacted both by the COVID pandemic and by the economic downturn. And households of color, especially Black households, were at much greater risk of homelessness even before the pandemic. For example, statewide student homelessness data has consistently shown that students of color disproportionately experience homelessness. For example, 1 in 11 Black students experienced homelessness during the 2017-2018 school year, with Native American/Indigenous students also experiencing startlingly high rates.

The eviction reforms proposed in SB 5160 are absolutely critical in order to prevent a significant increase in homelessness, especially among renters of color. Washington’s eviction system results in significant inequities and must be improved. Key improvements in SB 5610 which we include:

Right to counsel: Currently, many tenants lose by default and never get to make their case. This happens when tenants do not have information about their rights and are intimidated by the legal process. For tenants who do appear in court with hope of asserting their rights or explaining their story, they stand next to the landlord’s attorney and enter a courtroom without someone who can help them navigate the complicated process and the complicated laws. Access to justice demands the right to counsel for low -income renters who stand to lose so much from an eviction.

Preventing rent debt accrued during the moratorium and pandemic from being used to deny tenancy in the future: It is absolutely clear that low-income renter households will be hurt by recession for years to come. Denial of housing by prospective landlords due to falling behind on rent during the pandemic is a real threat. SB 5610 specifically will outlaw such denials.

Requiring cause to evict: Importantly, the bill limits the reasons a landlord can make someone move for two years after the bill is implemented. While Washington’s tenants need permanent good cause protections, this is an absolutely critical component of the bill. Without good cause eviction requirements landlords are able to circumvent all tenant protections and make the tenant move “ without even providing a reason. This undermines

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

**Pro
Decline
Liliana**

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South Bend
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Decline@decline.com

Translation

My name is Liliana Soto,

I have lived in South Bend, Washington State for 15 years with my husband.

I am a mother of 6 children. I have been unable to work starting a year ago because of delicate surgery. I stayed at home to recover because my husband was generating income.

But due to a pandemic since August he lost his job.

I rent a house but due the pandemic I owe \$3,500 in back rent for 6 months including \$700 for electricity and \$600 for water and I am worried.

Since my husband lost his job because he and a majority of his colleagues contracted covid-19, we now have low income. He works very few hours a week and earns only \$550 every two weeks.

I had to sell my car that I use to take my children to school to pay back bills.

I received rental assistance because my husband and I did not qualify for financial stimulus or our status.

My landlord did not raise my rent yet, but I know many families who have not had the same luck.

The moratorium expires on March 31 and I am very concerned for many families like me in my community, it would be devastating if my family is left without a roof to live in, for the stability of my family and all of us in our State.

That is why I ask the legislators, as a mother and part of this working community, to put their hand on their hearts and think about families who are affected and who are aware and have kindness. The pandemic will take months and years to recover. My family does not qualify for government taxes.

What path is there for an evicted family? The street.
That the government extends the moratorium to protect tenants and their families
From mass evictions and feel the Washington State support.
For this reason I support the SB5150.

Thank you.

Spanish

Mi nombre es Liliana Soto.

Vivo en South Bend, Estado de Washington, desde hace 15 años con mi esposo.

Soy Madre de 6 hijos, hace un año no trabajo por una delicada cirugía tuve que estar en casa para recuperarme, solo mi esposo estuvo generando ingresos, pero debido a la pandemia desde agosto y nos quedamos sin ingresos fijos.

Rento una casa pero por la pandemia debo \$3,500 de renta de 6 meses, \$700 de luz y \$600 de agua, y estoy muy preocupada, desde que mi esposo perdió su trabajo porque él y una mayor de sus compañeros se contagiaron de Covid-19. Ahora bajo nuestros ingresos él trabaja muy pocas horas a la semana y gana únicamente \$550 a la quincena. He tenido que vender mis cosas para pagar los gastos de mi familia.

Recibo asistencia de renta, porque mi esposo y yo no calificamos para el estímulo económico por nuestros estatus.

El arrendador no me ha subido la renta, pero tengo familiares que no han corrido con la misma suerte.

La moratoria se vence hasta el 31 de Marzo, estoy muy preocupada por muchas familias en mi comunidad, estar destruida si mi familia se queda sin ningún techo donde vivir, para mí es importante la estabilidad de mi familia y las familias de mi Estado.

Por eso le pido a los legisladores, como madre y parte de esta comunidad trabajadora, poner la mano en el corazón y pensar en familias que están afectadas y que sean conscientes, que tenga bondad, la pandemia costará meses y años para recuperarnos estamos hablando de un año y no toda la familias como la mía califica para los recursos del gobierno.

¿Qué camino hay para una familia que sea desalojada del hogar ?

Que el gobierno extienda la moratoria para proteger a los inquilinos de los masivos desalojos y sentir el apoyo del Estado de Washington por eso yo apoyo SB5160.

Gracias

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Nagy

Sarah

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Olympia

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Sarah.Nagy@Columbialegal.org

Members of the committee:

On behalf of Columbia Legal Services, I respectfully request that you vote to pass Senate Bill (SB) 5160 out of committee. Columbia Legal Services is a statewide nonprofit organization advocating for laws that advance social, economic, and racial equity for people living in poverty. We believe that SB 5160 is necessary in order to protect renters from a disastrous financial cliff that could result in widespread housing instability and homelessness, with disproportionate impact on people of color.

During the summer, the U.S. Census Bureau's weekly Household Pulse surveys produced a one-week snapshot in which 58% of Black renters reported being unable to timely pay rent that month, compared to 10% of white renters. In December of 2020, a week's snapshot showed that even as employment rates begin to stabilize for some industries, Black renters were still three times as likely as white renters to report being behind on rent, and twice as likely to state that they had "no confidence" that they would be able to pay next month's rent. Even before the pandemic, poverty rates were consistently higher among black and Latino households in Washington, and the number of families with below-poverty earnings increased sharply in the first half of 2020.

SB 5160's provisions establishing requirements for repayment plans are critical to keeping these renters housed in the coming months. For families who did not have savings to fall back on even before the worst economic downturn in a century, the path to stability may be months long, even as state and federal rental assistance becomes more widely available. Currently, debt to a previous landlord is sufficient reason to reject a tenant's rental application, regardless of their ability to continue paying rent going forward.

SB 5160 ensures that renters have the opportunity to negotiate repayment plans that take their financial circumstances into account. It protects them from falling into a dangerous gap if they need to move while still paying back what they owe to a former landlord. It provides a means of repayment that keeps debt out of collections, avoiding garnishment, damage to credit, and other long-term financial harm. It protects renters' ability to continue paying for other necessities of life while they work to pay back their landlords, ensuring that when food insecurity statewide is spiking, the rent does not eat first. And it ensures that payment plans can be fairly negotiated even for families not eligible for some kinds of assistance—especially immigrant families.

We respectfully ask that you vote SB 5160 out of committee and support its final passage. Thank you for your consideration.

Sarah Nagy

Staff Attorney

Columbia Legal Services

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Decline
Patricia

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Translation

the covid arrived at our house leaving havoc in the family. I could not continue with the rent payments. They laid us off for fear of contagion. I accumulated the rent payments and without more opportunity to pay backrent, the landlord came and knocked on my door and told me "if you do not have the money to pay, you must vacate and you have 2 weeks to leave." I pay rent for 3 months, it was very difficult for me to do it. He came to knock on my door one more time and he told me "I'm going to raise your rent the first chance I have." That scares me since I have never been behind in my payments. This was because of covid 19, unfortunately. I feel alone. I simply can't go on this way. I need you to listen to my voice and have mercy on me, help the unemployed and the needy, extend more income aid and support with a moratorium (this bill), I do not want to be evicted or have my rent raised

Spanish

el covid llego a nuestra casa dejando estragos en la familia. no pude seguir con los pagos de la renta nos mandaron a descansar por miedo al contagio. se me acumularon los pagos y sin mas sin oportunidad de recuperarme el rentero me llego y toco a mi puerta y me dijo si no tienes para pagar desaloja el lugar tienes 2 semanas para irte. yo paga tu renta por 3 meses se me hizo muy dificil hacerlo luego una vez mas a tocar mi puerta y me dijo te voy a subir tu renta en la primer oportunidad que tengo eso me da miedo ya que nunca he quedado mal en mis pagos todo esto fue por causa del covid 19 lamentablemente me siento solo, quiero que no puedo mas. necesito que escucha mi voz y tengan piedad de mi ayuden al desempleado y al necesitada extiendan mas la ayuda para la renta y apoyen con mas moratoria no quieo ser desalojado ni que me suban la renta

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
J.
Stina

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Port Townsend
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workingfamilieswa@gmail.com

My name is Stina. I'm a 5th generation Washingtonian with proud roots in Eastern, Central and Western rural WA. I live in Jefferson county where I was raised.

In September, my landlords evicted my family because they had nowhere else to live. Even though I was stressed to find a new place to live, I worked with my landlords with patience and cooperation just as I would hope any landlord would work with a tenant who has suffered the brunt of the pandemic and fallen behind on rent.

A payment plan and right to counsel is a common sense way you, our elected Senators, can help ensure all landlords do what every landlord in good conscience is already doing.

I don't want to linger on the ""bad apple"" landlords - so I won't. But I do want to offer a word of caution on the ""lying cheating tenant"" myth. There may be some people who tell a story today that tries to turn you off this bill. It's a story about a tenant who spends oodles of money on frivolous luxuries while willfully not paying rent. I hope no one here today drags up that old, tired, mean-spirited stereotype. When you look at it closer, it's a pack of assumptions without good evidence that distracts from the real issue.

Let's focus on real things: how this bill prevents a spiking homelessness crisis and how it helps working families stay stably housed so we can go back to work as the health crisis and economy recovers, apply for rental assistance, pay back rent, and make our landlords whole.

I work with a local nonprofit serving working families in timber country. I have directly and indirectly assisted over 200 families to apply for rental assistance. But the pandemic continues, jobs have not recovered, rental assistance dried up, rents are still due every month.

Every family I know will scrape every last penny and leave other bills unpaid to pay rent. We know what will happen if we are evicted.

Move-in costs take months or years to save. Affordable rentals in rural WA are few and far between. An eviction record will follow us. All of us know we can't just land another apartment. We go to our car, someone's couch, to a shelter. I've been there. That's why any of us would skip a meal to make rent.

Not only would failing to pass this bill and thus failing to prevent mass homelessness be immoral - it would also be very expensive. Homelessness sets back economic recovery for everyone - tenants, workers, businesses and landlords.

Ensuring housing stability for a duration where landlords and tenants can sort out a payment plan and tenants can return to work, apply for rental assistance and pay back rent: that's the fiscally responsible and humane path to an economic recovery for all of us.

Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Jennings

Elizabeth

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Mount Vernon

WA

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lizj@communityactionskagit.org

SB5160 Testimony

20 Jan 2021

Elizabeth Jennings, Community Engagement Manager
Community Action of Skagit County

Iâ€™m Elizabeth Jennings, commenting pro on behalf of Community Action of Skagit County and the Washington State Community Action Partnership.

I would like to propose that this bill is not, as some have represented it, a â€œLandlords vs. Tenantsâ€ fight. Itâ€™s about making everyone in our community whole, which is the definition of justice.

Some of my best friends are landlords.

Itâ€™s true. At Community Action, every year we work with over 100 private landlords as valued partners to prevent the homelessness crisis from getting worse in Skagit County.

Thatâ€™s what eviction prevention is. It is homelessness prevention.

We pump millions of dollars into the local community and to private businesses to keep folks safely housed.

In the second half of 2020, we helped over 300 individuals keep their homes. In a county with less than a 1% vacancy rate on apartments, that means we kept 300 people off the streets. In this housing market, imagine the suffering that will come with the eviction cliff.

If this committee and our state want to reduce homelessness, we must start by preventing it in the first place, and equal access to legal representation is key to eviction prevention.

I say this not only as an advocate standing with people experiencing homelessness. I say this also as a landlord.

Community Action is a landlord ourselves, and so are many nonprofit housing partners.

We are not asking for special treatment for tenants, but for justice, which is equal representation for landlords and our tenants.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Dugan

Andrew

330 Pacific Place

Mount Vernon

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andyd@communityactionskagit.org

My name is Andy Dugan, and I am the manager of the Skagit Volunteer Lawyer Program, a partnership between the Skagit County Bar Association and Community Action of Skagit County.

Our program leverages the pro bono services of local attorneys to provide free legal assistance in civil cases, including evictions.

In my position, I have witnessed an inherently inequitable system in regards to attorney representation in eviction proceedings.

During the last quarter of 2020, 13 unlawful detainers were filed in our county notwithstanding the moratoria at the state and federal level.

In all but 2 cases, landlords were represented by attorneys.

In all but 1 of those cases, the tenants were unable to retain counsel on their own before our involvement.

This is not justice.

An eviction can be the most traumatic experience in a person's life.

People at risk should not have to depend upon the availability of a volunteer.

They should be able to depend upon the law to guarantee this fundamental right to counsel.

Even if compassion is not in your hearts, I believe pragmatism should be.

Guaranteeing the right to counsel for tenants benefits all parties involved.

Thank you for this opportunity to speak before your distinguished committee, and I welcome any questions.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Freeman

Hunter

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These two policies will have a devastating effect on small housing providers who are already strapped financially from increasing costs and missing income in 2020. Many small housing providers are desperately searching for a way to have their units create income to pay taxes, utilities, mortgages, and keep staff employed.

The Legislature should be focus on polices that protect both housing providers and tenants who have been damaged through no fault of their own by the government shutdowns in response to the COVID pandemic. This is not the year to pursue broad changes to the eviction process, or contested landlord-tenant laws.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Schrock

Jane

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This bill is important because so many people are on the verge of becoming houseless. No one should lose their home period, but especially during a pandemic. Without the help and support of my family I would have been in financial trouble this year, and could have lost my place to live. Please consider people and their lives while voting for this bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro
Carlsen
Debbie

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debbie@allyship.org

My name is Debbie Carlsen the Executive Director of LGBTQ Allyship an organization that represents over 3000 LGBTQIA+ individuals. Thank you, Senators Kuderer and Das, for sponsoring this historic bill, SB 5160. Allyship has been educating hundreds of LGBTQ+ tenants on their tenant rights and resources in 2020 and every tenant has been impacted by COVID.

According to the new National LGBTQ+ COVID-19 report from MAP, 66% of LGBTQ+ households experienced at least one serious financial hardship during this pandemic vs. 44% of non-LGBTQ+ households and those numbers rise to 95% for Black LGBTQ households. And 64% of LGBTQ+ households experienced job loss since the pandemic vs. 45% of non-LGBTQ+ households. The levels of economic strife in the LGBTQ+ community equates to LGBTQ+ renters being even more vulnerable in being behind in their rent and becoming homeless. (<https://www.lgbtmap.org/2020-covid-lgbtq-households>) Every tenant Allyship has spoken with has been interested in creating a payment plan with their landlord and we are thankful that this bill supports the right to a payment plan.

LGBTQ+ tenants continually share stories of discrimination from landlords based on race/ethnicity, sexual orientation and gender identity during COVID-19. For example, one LGBTQ+ immigrant tenant shared her story of being behind in rent and trying to set up a payment plan with her landlord. She was told to pay her rent, or her landlord would call immigrant authorities.

Especially because of bigoted landlords, Allyship support this bill in its just cause protections and understands that rental assistance is not enough to keep LGBTQ+ COVID impacted tenants housed. It is essential that all of us are active members in a just economic recovery and this important bill plants that seed. Thank you!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Conlin

Richard

706 34th Ave

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Wa

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richard.conlin@conlincolumbia.com

As a partner in a development company and a landlord, I strongly support this legislation that will require offering mediation and other forms of dispute resolution prior to eviction for tenants who are behind in their rent when the eviction moratorium expires. As a company we have told our tenants that we will not evict anyone for nonpayment of rent during the pandemic and that we will work with them to arrange payment plans as needed. No one should become homeless as a result of this crisis. Everyone should have the opportunity to make things work and this legislation is an important step in the right direction.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Other
Fortescue
Jessica

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Tacoma
WA
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2532269147
jessica@jfconsultingservices.com

Dear Members of the Committee:

The Association of Housing Authorities is writing to submit our concerns regarding SB 5160. We understand that the intent of this legislation is to provide tenants impacted by COVID-19 with a measure of stability in how their rent arrears accrued during the Governor's Eviction Moratorium will be treated by landlords and the courts. We support the goal of ensuring housing stability for tenants following the moratorium's expiration and are committed to working towards a solution. Eviction should be a last resort. However, we find that SB 5160 sends differing messages to landlords and tenants alike. We encourage the legislature to convene interested stakeholders to craft clear language and a clear process that will balance the needs of property owners and tenants impacted by COVID-19.

Unlawful Detainer Actions Related to Non-Payment of Rent during the Moratorium:

Section 4 of SB 5160 notes that a tenant's right to possession of a dwelling unit used primarily for residential purposes cannot be conditioned on satisfaction of any rent that accrued during the eviction moratorium and this unpaid rent must not be a factor in any housing decision affecting a tenant's right or ability to occupy a rental dwelling unit. On its own, this language provides little impetus for a tenant to enter into a repayment agreement with a landlord, pursue rental assistance resources, or otherwise pay back their rental arrears. This is an undesirable outcome, particularly for smaller property owners who lack substantial reserves or access to rental assistance programs.

Section 5 expressly allows a collection action (including filing of an unlawful detainer action) in cases where the landlord first offers a qualifying repayment plan and the tenant either refuses the offer or defaults on its payment. This section is unclear as to where such an unlawful detainer action will lead either to a collection agency or to an eventual eviction. AWAH believes that the legislature should be more explicit and allow for unlawful detainer actions in cases where a tenant has not entered into or complied with a repayment agreement. We suggest that Section 5 be amended to make this distinction.

Establishing Additional Clarity Around Repayment Plans

AWAH maintains that the offer of a reasonable and/or standard repayment plan is essential to resolving this crisis. Section 5 includes helpful language that will allow tenants flexibility in how they pay for rental arrears accrued during the moratorium. It also states that a landlord must offer a tenant a repayment plan that considers their individual financial and life circumstances. This is difficult to do for many property owners who do not know all of the circumstances surrounding a tenant's finances. We offer the following language as an alternative baseline repayment plan:

Such a plan is reasonable if it provides for each of the following: (i) for repayment of up to one month of rent due a three monthly installments; two months of rent due = five monthly installments; more than two months of rent due = six monthly installments; and (ii) payment of that amount within twelve months.

Should a tenant not accept such a repayment agreement, the legislature could propose a process where tenants provide additional supporting information to the landlord in an attempt to secure a more generous repayment agreement.

Right to Counsel:

SB 5160 states that an indigent tenant has a right to counsel in all unlawful detainer actions. We are concerned that absent additional clarification, unlawful detainer cases will stall for extended periods of time in cases where state funding is insufficient. We request the legislature further contemplate how this process will play out when counsel is unavailable, keeping in mind that unlawful detainer proceedings include cases beyond nonpayment of rent that pose serious and immediate risks to property and residents.

Alternative Pathway to Resolve Rent Arrears:

In recent years, the legislature has enacted new protections for tenants, including adding judicial discretion for tenants for whom the court has just ordered evicted for failure to pay rent. Those additions greatly strengthened the right of a tenant to reinstate the tenancy and suggests an alternative proposal to resolve rent accrued during the moratorium: relying on the tenant's expanded right to seek discretionary reinstatement in RCW 59.18.410(3). Discretionary reinstatement contemplates the individualized assessment that allows for distinctions necessary for fairness to both parties. If necessary, the bill could expand the discretionary reinstatement further in COVID rent cases by adding to the list of factors the court must consider in lengthening the time of repayment.

We look forward to continuing to work with the legislature to ensure housing stability following the expiration of the moratorium.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

McLean

Carla

4343 S Bennett St

Seattle

WA

98118

2068987049

carlitabay@gmail.com

I am a landlord and am in favor of mediation in all cases of possible eviction. Dispute resolution is likely to decrease homelessness, a big problem in King County.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Donohue

Ryan

560 Naches Ave SW, Ste 110

Renton

WA

98057

2065777949

ryan.donohue@habitatskc.org

Hello Chairwoman Kuderer and members of the committee,

My name is Ryan Donohue, and I am the Policy and Advocacy Director for Habitat for Humanity Seattle-King County, serving both King and Kittitas Counties. Today, we are proud to be able to join you in strong support of SB 5160.

We support this bill for a simple reason. If people are able to have safe and stable housing on the rental market, it will be easier for those families to continue to move along the entire housing spectrum. An eviction forces those families to restart at the beginning all over again, putting that dream of homeownership further and further out of reach. We need to be helping families move along the housing spectrum, not looping back to the beginning of it.

As Lisa, one of our current Habitat homeowners recently told us, "I am blessed to not have to be living in the current rental market. If I had to at this point, I may have ended up homeless."

Habitat for Humanity Seattle-King County believes that housing stability is an essential part of the housing continuum. SB 5160 is a step towards that housing stability that will help Washingtonians all across the state.

Thank you for your time and have a wonderful day.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Sharp

Kathryn

10648 NE 154th Pl

Bothell

WA

98011

2063690912

sharpmail@comcast.net

I support using mediation before eviction of renters. We cannot afford as a society to have more unhoused people (including children and vulnerable populations) on the streets, which is far more expensive for public services than rent assistance. Plus, losing one's home creates permanent trauma. I also respect that landlords also need income. Mediation provides a path for all needs to be met.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Bradshaw

Randal

18508 SE 44th LN

Vancouver

WA

98683

3607490869

randybradshaw@hotmail.com

I am writing in strong opposition to SB 5160. The year 2020 has been hard on all. I have watched as Trillions of dollars have been handed out for relief in various forms. What I have not seen is any relief or protections for rental property owners.

Our seven (7) rental units were scheduled for rent increases on February 1, 2020. My wife and I made the conscious decision to cancel the scheduled increases because of the looming pandemic news. We do not take increases in rent lightly, and the rents on the 7 units had not been increased for 2.5 to 5 years.

Our units are well under the market rate because we value good tenants and want to retain them. However, almost immediately after the Governors first Eviction Moratorium went into effect I was informed by one of my tenants that "they no longer had to pay rent". The fact is, I had been working with this tenant from November of 2019 trying to help her get caught up on rent. Her problems started well before COVID. She was a licensed Registered Nurse in Washington, so I'm sure COVID had NO impact on her ability to retain her employment.

As it now stands there is no chance to increase rents into the foreseeable future. However, the property taxes have increased on these same properties from 7.76% to 16.11% for year 2020 and are set to increase from 7.89% to 12.97% for 2021. This is a 2 year total increase from 21.16% to 25.27%. The proposed CPI + 3% cap on increases will put my wife and I deeper into the hole.

In 2020 we lost \$17,732 in unpaid rent and spent nearly \$50,000 in repairs and unpaid utilities that were passed onto us when the tenants moved out.

This Bill and its sister SB 5139 will have a devastating affect on our retirement and future security.

It sure seems like the State of Washington and City of Vancouver is assured to get theirs at the expense of the Property Owner. Does it really seem fair to rub salt into the wound with SB 5160?

Respectfully,

Randal Bradshaw

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Graham
Makenzie

111 Viewcrest Road
Bellingham
WA
98229
651-247-5306
makenziegraham@gmail.com

Housing is health, and everyone deserves the right to a safe, affordable place to call home. We are facing a housing and homelessness crisis across the state, and we need to take bold action now to prevent it from getting even worse due to pandemic-related evictions. As a landlord myself in Bellingham, I strongly support this bill to strengthen tenant protections.

One in nine renters in Washington are behind on rent. On any given month during the pandemic, well over 100,000 renters have been unable to pay rent. Census Bureau data from mid-December found that over 175,000 Washington renters were behind in rent and over 387,000 renters who were current on rent report that they had to use credit cards and other unsustainable methods to meet their basic needs in the last 7 days.

Households of color have been disproportionately impacted; Black and Latinx households are behind on rent and not confident in the ability to pay next month's rent at higher rates than white households (Census Bureau). Systemic racism has driven down wages and prevented access to homeownership opportunities for communities of color, leaving expensive rental housing as the only option for many. For example, statewide, Black households are twice as likely as white households to be renters. On top of this, Black and Latinx households have been more impacted both by illness from COVID-19 and by the economic downturn.

Stronger tenant protections are an important step in addressing our dual public health crises of systemic racism and COVID-19. One's housing situation determines up to 70% of their health outcomes in later life, and I urge the Legislature to take a strong public health stance and pass these tenant protections.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Other
Gombosky
Jeff

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Olympia
WA
98501
360-870-9758
jeffgombosky@gmail.com

Members of the Senate Housing and Local Government Committee,

Below is a letter from Robin Dale, CEO of the Washington Health Care Association, Deb Murphy, CEO of LeadingAge Washington, and John Ficker, Executive Director of the Adult Family Home Council, expressing their concern with SB 5160 along with amendatory language that would resolve their concern.

Senator Kuderer:

Thank you for taking the time to speak with us earlier regarding SB 5160 and the possible addition of language clarifying that the provisions of the bill do not apply to long term care facilities.

As we explained, the early iterations of the Governor's Proclamation 20-19 (Evictions and Related Housing Practices) made reference to long term care's ability to continue the practice of health and safety related transfers and discharges. Unfortunately, this singular reference to long term care called into question whether long term care facilities were required to adhere to all aspects of Proclamation 20-19. From early on in the COVID-19 crisis, we learned that any attempt to shoehorn long term care facilities into the Residential Landlord Tenant Act is unworkable. This ultimately led to the revision of the Governor's Proclamation 20-19.4 to clarify that long term care should be treated differently than landlords.

This is because the Residential Landlord Tenant Act at RCW 59.18.040 exempts nursing homes from the Act and further excludes "Residence at an institution, whether public or private, where residence is merely incidental to the provisions of [non-residential services]." Thus, Washington Courts have found that a developmentally disabled adult residing in a group home was not a residential tenant. Courts have also found that a program for HIV-positive, at-risk youths was not residential. Washington courts have not considered RCW 59.18.040 explicitly in the context of assisted living residences, but it is clear that these residences are ultimately outside the Residential Landlord Tenant Act as tenancy at an assisted living facility is incidental to the provision of care and services. Accordingly, as assisted living is outside of the Residential Landlord Tenant Act, SB 5160 should not apply to long term care.

In addition, and importantly, in the long term care setting there are protections against inappropriate involuntary transfers and discharges from the nursing home setting, the assisted living setting, and the adult family home setting. (See 70.129.110). In all settings, care providers retain the ability to transfer and discharge in order to accommodate residents' health, safety and care needs. These instances were also recognized in the Governor's Proclamation.

Long term care facilities, and the provision of care, services and the security that these settings provide, to even residents who are independent in function, is wholly different from the rental of a single family home or an apartment where no services are provided. In addition, the individuals living in these long term care settings have not generally experienced the lost wages, layoffs, and economic harm that can threaten individuals with homelessness. To the contrary, these tend to be individuals that have saved for their later care needs and who will, in most all cases, qualify for state assistance should they exhaust private resources.

Consistent with Governor Inslee's Proclamation 20-19.4, we ask that SB 5160 be amended to clearly reflect that long term care is excluded from the provisions of this Act. Language consistent with this request is offered as follows:

NEW SECTION: The Provisions of this Act do not apply to long-term care facilities licensed under chapters 18.20, 70.128, or 18.51 RCW or registered under chapter 18.390 RCW, by the Department of Social and Health Services.

Should you have any questions please let us know.

Deborah A Murphy signature
robin dale
image016.jpg
Deb Murphy, MPA, JD
Chief Executive Officer
LeadingAge Washington
Robin Dale, JD
Chief Executive Officer
Washington Health Care Association
John Ficker
Executive Director
Adult Family Home Council

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Hattendorf

Ramona

233 6th Ave N

Seattle

WA

98109

2068297048

rhattendorf@arcofkingcounty.org

Dear Chair Kuderer and committee members,

Thank you for considering this bill.

I am testifying in support of SB 5160 on behalf of The Arc of King County. We protect and promote the rights of people with intellectual and developmental disabilities and advocate for inclusion.

Housing instability is the No 1 issue that people with disabilities contact us about.

This policy proposal is critical to protect against a significant increase in homelessness.

Sincerely,

Ramona Hattendorf

The Arc of King County

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Trujillo

Jimmy

712 34th Ave Cherry

SEATTLE

WA

98122

206 353-5594

jimmyfrank@hotmail.com

I support dispute resolution for eviction notices. SB 5160

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Irby

David

23802 NE Salal Place

Redmond

wa

98053

4156999232

irbyd@ucsf.edu

I support this resolution

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Meissner

Dave

7345 164th Ave NE

Redmond

WA

98052

2064848587

davem@paragonrea.com

I am opposed to the government over reach in this bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Smith

Susan

36501 11th Pl S

Federal Way

WA

98003

4257616909

susansmith24@comcast.net

I am a "mom and pop" landlord. We own 42 units. We are not alone. Individual investors make up 77% of small building units, 2-4 units. Of these investors 34% of these landlords are 65 and older and mostly retired with no other income. When tenants don't pay the rent in a building this small, the mortgage and other bills cannot get paid. That means these individual investors are at risk for losing their investment they worked their whole life for. It also affects their retirement. This is not a large corporation you are just slightly hurting the bottom line.

My personal story is we have one unit that has 3 tenants in their twenties. They owe us \$8,680.00. It is hard to imagine that 3 young adults cannot pay our rent of \$1700.00 between the three of them. And now you are saying that we have to let them live in our building for 2 more years. We have another tenant that owes us \$10,148.00. They just completely stopped paying in August. We helped them fill out a form for rental assistance and they stated that they made approx \$2000 a month. I can understand that paying the full rent might be difficult for them right now, but they haven't paid a dime since August, they could at least pay \$500. But what incentive do they have? They can keep doing this for 2 more years! It is basic psychology that people need an incentive to do things. If they are told that they cannot pay rent and they won't be asked to move for 2 years, then why would they pay rent!!

To me and everyone I talk to, it seems unconstitutional that the government can tell individuals what they can do with their personal property. Food is more essential than shelter. Why don't you tell the grocery stores that people who can't pay for the groceries need to be allowed to take what they want. How is it any different? Landlords are offering a product, and you are telling us that we can't charge for it if the person can't pay. Homelessness is already a problem in our area. If you don't let small landlords evict residents that are not paying rent, they will lose their buildings. Large corporations will buy the buildings and charge more rent and we will have more of a homeless problem. If the government wants to help people, they need to provide them with money to pay rent, not have individuals donate their money.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Hull-Drury

Mary

514 14th Ave SE

Olympia

WA

98501

360-481-1965

mary.drury@warealtor.org

Realtors are opposed to SB 5160 as written. However, we welcome opportunities to work with the sponsor on amendments.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Stuart

Kyler

1900 SW Campus Drive

Federal Way

WA

98023

2089641019

kylr_stuart@yahoo.com

I support this bill, especially in times of a pandemic crisis or other crisis that lead to economic and financial recessions and instability. There should be more representation and clarity during such disputes to make sure both parties are acting within the law.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

SKOOR

DAVID

12303 32ND AVE SE

EVERETT

WA

98208

4254460019

DBSKOOR@FRONTIER.COM

I stand in favor of SB 5160.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Karppinen

Anne

7426-NE 145th

Kenmore

WA

98028

425-217-7445

annekrppnn8@gmail.com

I have a small rental property that I offer below market rates to small families, or single mothers. here in Kirkland. Usually families stay long enough to save up to buy home or move out of the area. Usually it works out ok. I can rent for just enough to keep the property in good repair and keep up with taxes, utilities. etc. But when the moratorium hit, I lost 3.5 months of rental income, and expect to face some hefty legal bills when Covid is defeated, in an attempt to recover my losses. I have been subsidizing my own modest income with this rental income for some 20 years now. My sense is that the common sense solution is to help out workers who have been forced out of their work through no fault of their and the courts won't be overwhelmed with own. Affordable housing is protected, and the courts won't be overwhelmed with evictions, or collections, and homelessness could be avoided, We would keep our reputation as a most livable state! Please protect and subsidize our renters by direct payments, it seems to be attacking the problem at the core instead of pushing the financial burden on another group who are facing increasing tax burdens, high vacancy rates, legal costs, on top of our regular costs of doing business. I am suffering from degenerative diseases and am forced to work beyond retirement age to stay solvent as a result of this unrealistic solution. I hope you look at what is being proposed by your colleagues under the REAL RECOVERY FOR WASHINGTON ACT.

Respectfully yours,

Anne Karppinen

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

BREINER

JONATHAN

161 Lee Street, suite 2018

Seattle

WA

98109

2063541027

jbreiner@paragonrea.com

Dear Committee,

Thank you for your time and efforts on the matter of SB 5160 Landlord-tenant relations.

I am a housing provider in King County and manage 11,000 units so am very familiar with this industry and strongly oppose SB 5160.

If SB 5160 were to become law, that would increase the financial devastation currently being experienced by housing providers such as us and our clients. I urge you to oppose it and vote NO. Very simply put the expenses continue to rise on the buildings to maintain them, and manage the housing, our interest on the debt remain the same and the bill does not take into account this fact and we need help as well. SB 5160 does not accomplish anything for the tenants or landlords as a unit. Please vote no.

Sincerely,
Jon Breiner

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Coleman

Kel

7544 Mesplay Ave SE

Olympia

WA

98503

3604700330

misskelib@hotmail.com

The biggest issue with the eviction moratorium is that it has no qualifications in regard to non-payment. The governor has issued numerous blanket lockdowns and restrictions only to go with a more regional approach because the blanket restrictions do not make sense for a lot of places. Much like this moratorium.

First, as a property owner and discussing this very issue with others we all understand that people lose jobs and we are more than willing to accommodate them despite what is portrayed. Upon polling property owners across the state with as little as 1 property to as large as 301 the results are overwhelmingly showing that there are much more bad apples than the tenant advocates are portraying. In recent articles they state that the people who landlords are saying are taking advantage of the moratorium are such a small percentage, but they do not give you any factual numbers to that "small percentage". Well I set out to do this and the number is 9.35%. Out of all the property owners polled 9.35% tenants are withholding rent despite still being employed including an elected councilperson in Olympia Renata Rollins. Out of those there were 23% who despite not losing their job, still went out and purchased large ticket items such as a 600,000 house, BMW's, Land Rovers, and in my instance a new 40,000 Subaru WRX. The madness doesn't stop there. Now the landlords who have these tenants that are still gainfully employed who refuse to pay rents our survey shows that 60% are openly defiant because of the broad protections and free lawyers offered to tenants. As property owners we are seeing 47% of those non-paying employed tenants causing substantial property damage, and 53% of these people are hiding being the moratorium to violate the lease by moving in violent felons and adopting a pet in a non-pet friendly rental.

Moving on if you look at any other program out there such as social security, HUD vouchers and other social programs the tenant must be approved to receive the benefits and the moment someone abuses the terms then they are booted off the program, but the state setup their OWN social program with private citizens properties and provide no means to qualify or police the program. Then while the property owners were down, they decided to kick them by offering free lawyers paid for by taxes collected by property owners. And the one thing that Inslee and others have stated over and over is that they aren't saying rent doesn't have to be paid, but with no recourse and almost anything shy of begging is considered threatening please tell me how we are to collect from the employed whom purposefully are withholding?

Also being heavily involved in the local community I found the following remark that shows the governments intervening in the free market is causing unnecessary harm to property owners that can/will get worse the longer this drags out. The quote is "I cannot wait until they can evict so I can finally find a place to rent." because the rental inventory is so limited, but we continue to enable the ones who abuse the system and cause unnecessary financial hardship to property owners and local municipalities.

Finally, the fact is that if the state stopped the eviction moratorium there would be an uptick in evictions no matter when it is, but what you will see are the people whom were to be evicted prior to the moratorium, and those who employed still purposefully withheld rents to stick it to the property owners and those who have blatantly violated their lease agreements. The low income and unemployed will continue to work with their landlords and still have a place to put their head at night despite what is said.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Newton

Saint

23421 82nd Ave SE

Woodinville

WA

98072

2069487330

Saint@ParagonREA.com

Landlords across the State are working cooperatively with their tenants. SB 5160 takes cooperation out of the mix and allows tenants to simply occupy a unit and not pay rent for 24 months whether they are affected by COVID or not. There is no requirement that if they are working, that they pay rent. How is this possibly fair? How will I pay my mortgage, taxes insurance, utilities, and payroll without rents coming in? SB5160 takes away a landlords right to collect rent long after the pandemic is over which is an unfair taking. Please be more even handed and represent all parties instead of just the tenants. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Glenwell

Alicia

1419 S Jackson St, #103

Seattle

WA

98144

2065685454

alicia@endgv.org

Strong tenant rights, protections, and supports are critical for survivors of gender-based violence, for whom the impacts of the pandemic and housing instability have deeply compounded the already significant harms of abuse.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Ellefson

Donna

1213 N Allen Pl

Seattle

WA

98103

2063309918

dhellefson@yahoo.com

Housing is extremely important for everyone and many people now are hard pressed to pay their bills due to the Covid 19 epidemic. They should not be evicted.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Price

Scott

2480 Avalon Ln

Coupeville

WA

98239

206-419-7516

ScottPrice11@gmail.com

Dear Housing & Local Government Committee,

SB 5160 is a truly terrible and unfair bill that should be actively opposed. It unfairly and unilaterally removes the property, business, income, and self determination rights of well intentioned landlords everywhere who have already been very negatively impacted by Washington government using landlords as uncompensated government assistance programs.

Many landlords have invested their life savings and work very hard to provide quality housing to people everywhere. We are small business owners, and tenants are our customers. We have been way more than a "team player" by being under the government's unilateral restrictions on our business and contractual obligations. The benefits of course have been one way: tenants win, landlords lose. There are literally no benefits to landlords of any of the government's recent actions. Even IF a tenant takes advantage of government assistance programs, then that only results in status quo with extra work for the landlord. And SB 5160 thinks it is a good idea and actually makes sense to extend all of these lopsided and unfair practices for an astounding and frankly unethical two more years?

Let me share a personal story, one among many: For one of my rental properties, the tenants stopped paying rent as soon as the governor started the eviction moratorium almost a year ago. The tenants did not respond to phone calls. They did not respond to our offer of a payment plan. They did not contact rental assistance programs. They just "milked it" and took advantage of policies such as get perpetuated with SB 5160. Finally, only of their own accord (since my rights have been revoked by the government), they recently just left with zero payment. So, they received almost a year of free living at my direct expense while I paid the mortgage, property taxes, insurance, property management, landscaping, legal, exterior maintenance, and even had to fix things inside to keep the home properly habitable even though the tenant refused to pay for their contractually obligated (lease) services. Then, on top of providing free housing and me paying everything out of my own savings along the way, they left the unit with over \$5,000 of damages that I now have to pay to get the home rentable again.

We have already been used and abused enough by the government that is unfairly and unilaterally targeting landlords to provide free government policy/programs for citizens. Arbitrarily extending this situation for another two years is unconscionable. We need a light at the end of the tunnel, and this bill just keeps kicking the can down the road. We all support housing for all. However, it is extremely inappropriate for you to force landlords to implement your policies that very clearly and factually benefit one group over the rights of another group.. Please strongly oppose the unfair and misinformed thinking that went into this bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Kreinbring

Jeff

2518 NW 115th St

Vancouver

WA

98685

360-601-5416

JeffKreinbring@kw.com

These kind of sweeping, one size fits all, blanket regulations always end up doing more harm than good because, like the laws of gravity, you can't ignore the laws of economics forever. Eventually you will hit bottom.

I am a small time landlord with 4 houses. The proposals will be a great burden to small owners like me. We provide good quality housing in middle class residential neighborhoods for families who can not afford to buy a house and would otherwise have to rent an apartment.

Studies show that kids who grow up in houses surrounded mostly by kids whose parents own their home do better than kids raised in apartments. If you care about kids, you will at least make exceptions for houses verses apartment buildings.

If you make it too hard for the small investor to own rental houses, we will most likely just sell at the end of the lease period, and most likely to an owner occupant. That will simply take rental houses off the market and make them unavailable to renters at any price!

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Johnson

C

260 Estate Lane

Ellensburg

WA

98926

4253274030

rebelridgeranch@aol.com

Please come up with a resolution to this No Evict order. Tenant has stated to us (landlord) that yes she is working, but Inslee says she doesn't have. Tenant bought a new GMC 2020 truck and horse. In the meantime, I'm paying for the house, taxes, water, irrigation and not to mention the damages. Excess of \$7,000. What I don't see is a plan for tenants to repay. State is offering free legal service for tenants, so landlords again have another expense to collect. How will the legal services be able to handle mass lawsuits when ban is lifted? Many of us are forced to sell ASAP. Why is this group expected to provide free housing? We all know there is no way tenants will repay. What other private businesses is the state expecting owners to provide free services to clients due to Covid-19?

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Burmark

Keegan

6810 92nd St Ct NW

Gig Harbor

WA

98332

2532794687

keeganburmark@burmarkproperties.com

These new rules are just going to make it HARDER for tenants to find affordable housing. Artificially changing the rental market doesn't work. It just makes it harder for landlords and that gets passed down to the tenants in the way of higher prices. Tenants already have protections. Those protections are sufficient. Please vote AGAINST these new proposed regulations.

Thank you

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Wight

Dean

108 Prospect

Bellingham

WA

98225

3607349862

DeanW@nwys.or

I am in support of providing for mediation as a requirement for landlords seeking to evict tenants.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Sargent

Lee

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Bellevue

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4256417568

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During these hard times with COVID there needs to be recognition that many are faced with limited or no access to adequate income to pay rent. If people are in such dire states because of the job circumstances they should be able to maintain their residence as long as possible. This is especially true since some businesses can not provide a state required safe work environment. In addition, the weather and rental market poses a detrimental situation for these people.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro
Grad
Lindsey

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Renton
WA
98155
4259199018
lindseyg@seiu1199nw.org

Senators,

On behalf of the members of SEIU Healthcare 1199NW I want to thank the sponsors of this bill. Nothing is more fundamental to healthcare and economic security than housing.

While you may find the need to amend the bill to improve it's workability on the ground, we urge you to keep this bill as strong as possible and as aligned to the values of what tenants and their families need.

We also support efforts to find resources to support landlords to mitigate the impacts that they have experienced during this pandemic, but the fundamental rights and needs of tenants must be secured.

We are happy to participate in any conversations or provide any information that can help as this bill advances through session, but quite simply, the healthcare and economic impacts of not passing this bill are unbearable to our state. Thank you for your leadership.

Lindsey

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Hubbs
Randall

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Kennewick
WA
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I am writing to offer some perspective in opposition to SB 5160.

I am a designated broker in Kennewick Washington that owns a property management company and served on the board for the Benton Franklin Rental Owners Association for four years. Additionally, my wife and I have been in real estate investors over the past 40 years in multiple states as well as internationally. With that being said, I'm sure it appears on the first read that I am going to have biased opinion on the subject. Our real estate education goes way simply being a licensed broker. We have traveled the world attending real estate conferences and have studied landlord tenant law and how it impacts the supply chain of housing throughout the country. To simply say I am an expert on this topic is a severe understatement.

It's important for you to know that more than 52% of all rental units in the US are single family homes that are owned and operated by mom-and-pop landlords who moved into another home and decided to rent their home out. In most cases, this has been for the purpose of creating additional retirement income. Most of these people still have mortgages on the properties they are renting out and are not sophisticated business owners. As a result of legislation like this, rent control, and several other laws that have been passed over the past few years, these people are struggling to keep their heads above water. Also please keep in mind, many of these folks have lost their jobs and are suffering in other ways due to pandemic as well.

This law appears to be taking the governor's eviction moratorium that is in place through March 31 of 2021 and is simply expanding this into law for another two years. Please correct me if I'm wrong, but that's how it reads. Where is the legislation that provides relief for these landlords as well as those of us who are actually in the business of providing housing any kind of relief?

To provide some further context, I spent my career as a college professor having retired four years ago. I am very sensitive to many of the liberal views behind these proposals and empathize greatly with those who are struggling to keep a roof over their head. As a result, we have personally been involved with numerous affordable housing projects. Unfortunately, the long term affects of legislation like this is going to ultimately create more problems than you are attempting to solve.

Here are some examples I have been witnessing to support the above statement:

• I just met with a couple yesterday to list their 2 Four-Plexes. Their reason for selling was due to the laws and regulations that have been passed and being presented in this state. They are looking to either get out of the rental business completely or do a 1031 exchange into the Texas market.

• We were in Dallas last week at a goal setting event made up of primarily real estate investors. 3 couples were from Washington State and they are all in the process of liquidating their Washington portfolios.

• Our property management company has also seen several owners sell their property for similar reasons.

• Housing prices are higher in the northwest and coastal states which is keeping new investors out of buying rental inventory because expenses are greater than the rental income they would be receiving. (Now the legislature is entertaining rent control as well which will be another nail in the coffin.)

• There is already a supply shortage of rental units in our state and this legislation is only going to cause increased shortages.

• Many members from the Benton Franklin Rental Owners Association as well as the other state organizations are witnessing these trends as well.

In conclusion, this law, as well as several others that have already been passed and those being introduced (9% capital gains tax??), is going to drive the housing supply down increasing the homeless population in this state. Although this appears to be a possible solution to our current crisis, the long-term effects will be much more devastating.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Other

Remmu

Sakara

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Renton

WA

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Chair Kuderer, my name is Sakara Remmu and I live in the 37th Legislative District. I am a member of the Black Lives Matter Alliance.

Thank you for the opportunity to testify on SB 5160. I am noting that my testimony has moved from opposing to other on SB 5160.

Thank you to Chair Kuderer for meeting with WA Black Lives Matter Alliance and Resolution Washington on this bill.

In its current form, the BLM Alliance feels SB 5160 does not do enough to address the institutional racism that exists in the court system, and how it limits access to housing for Black, Indigenous, and people of color in Washington state. This bill as written would make our situation worse, not better.

What we are advocating for is not one or the other - but both, and.

Black, Indigenous, and communities of color need a non-legal entity process first that does not involve lawyers and having that option if needed. Dispute Resolutions Centers (DRCs) do that for us. All Washington residents deserve equitable access to the three pillars identified by the Supreme Court in establishing the ERP: dispute resolution, legal aid, and rental assistance.

Â To improve this bill: We would like to see statewide early resolution with impartial, trauma-informed mediators in SB 5160. Early resolution before filing is an upstream solution that helps Black, Indigenous, and People of Color who are disproportionately impacted by structural and economic injustice.

Early resolution helps Washington to meet the eviction crisis now and homelessness prevention moving forward. Early resolution with DRCs through online, virtual, and hybrid services are safe and accessible during the public health crisis.

We look forward to working with you, Chair Kuderer, and the committee in proposing some amendments to address our concerns.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Clifford

Jason

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Sumner

WA

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I am a real estate agent and I work in the property management field. I strongly feel this proposed bill would adversely affect the overall rental market and create undue burden on property owners. This would also hurt tenants by increasing rent prices of available rentals and decreasing supply of available rentals in general. I have personally seen several owners of homes that decided not to rent and instead sell this will only increase which means less available rental properties for tenants.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Fisher

Joseph

3710 168th St NE Suite C101

Arlington

WA

98223

4258790928

rentalfisher@gmail.com

I am here to oppose HB 5160

I understand and get the perspective of this bill, protect individuals that have been impacted by COVID. Not everyone has been impacted by COVID and therefore this should not be available to everyone nor should the entire landlord tenant law and eviction process be altered for a small percentage of people.

Is this bill going too far? For 2 years a landlord cannot terminate a lease. Why not 1 year? Why not 5 years?

What is being overlooked, or is just a flat out blatant disregard for individual private owners is the impacts this will have on the property owner. The individual owner that has a mortgage to pay, they rely on the rent as income, for their livelihood, for the property taxes, maintenance & repairs, etc. I see this bill forcing many owners to sell as the only way to get away from these negative impacts. Overall this will take rental units out of the communities.

What about the other side? What about the property owners? This bill has substantial protections for tenants, yet has nothing for property owners. Don't politicians have an ethical duty to enact laws that benefit and help both sides, or not? Do the individuals that drafted this bill care if something is balanced and fair?

This bill is so blatantly biased towards tenants and against property owners, it is criminal.

This bill needs drastic Bi-partisan input and reform, its current draft is nothing short of a socialist and communist power grab.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Jaurigui

Erin

502 NE 72nd St

Vancouver

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98665

3609079712

ejaurigui@ginnpropertymgmt.com

I am opposed to SB 5160 as it provides no protection to the landlord to provide a non-renewal to a tenant who is not taking care of the, and possibly damaging home and/or has continuously violated the lease. Current Washington law makes it incredibly difficult to remove a tenant who is causing damage to the home, and violating the lease.

For tenants facing difficulty in paying, requiring no documented proof of hardship allows for tenants to not pay rent with no repercussions of dishonesty.

SB 5160 needs to create protections for landlords for tenants who break the rules, damage the home and refuse to provide proof of hardship.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Con
Callon
David**

P.O. Box 1139

Prineville

Or

97754

360 888-0345

dgcallon@gmail.com

I am selling my 4 rental houses in Washington state.

I can not afford to give away free rent.

This was my retirement.

Not anymore.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

petersen

david

2850 s byron st #13

seattle

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98144

5037145131

seattleapartments13@gmail.com

I oppose SB5160. I have saved for 30 years to buy my first apartment building and currently own three buildings in Seattle. I rent to section 8 tenants, other subsidized tenants as well as market rate tenants. I already work with all my tenants even before the pandemic. I provide even more affordable housing than what is considered affordable. I can do this because I get market rate housing for other units. However, margins are low for most mom and pop landlords. I do not take any money from these properties but put more money back into these properties. I have also had my income significantly decreased from the pandemic. As a mom and pop landlord, we are suffering too. We need more affordable housing in all neighborhoods and not just in South Seattle. These laws should be focused on adding affordable housing to the current stock. Adding laws that restrict landlords cause developers not to develop apartments in Washington and force mom and pops landlords to sell their properties. This will reduce the housing stock. Please focus on getting everyone to provide affordable housing for a specific number of units in their buildings, and this will go a long way to help the situation and will spread affordable housing throughout all areas. If I sell my properties, it will take 10 affordable housing units out of the market and I am one landlord. I will sell if this legislation passes and rent control of any type, I will sell. The non-profits only want 100 plus unit deals. They won't buy my property. It will go to another party who will take my affordable housing units. Please reconsider how you are impacting the small landlords which I believe are owners with 30 unit buildings or less.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

lobsenz

James

1130 19th Avenue East

Seattle

WA

98112

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Please pass this bill. Failure to do so will just lead to more homelessness and we have enough of that.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Wright

Peter

3808 E McGilvra St

Seattle

WA

98112

206-852-6206

pwright@paragonrea.com

Dear Sir or Madam;

I am a small business owner and father of 3. Unfortunately, being a self employed individual I do not have a traditional employer subsidized retirement savings account. I purchased two small apartment buildings to help provide income for my retirement. I borrowed the money to purchase both properties and the loans on those properties came with specific provisions. One of those provisions states that the property must maintain a certain debt to income ratio. ALMOST ALL COMMERCIAL LOANS CONTAIN THIS PROVISION. Furthermore, like most commercial loans I had to guarantee the loans personally. If my tenants do not pay rent and I am not allowed to evict them and replace them with tenants who will then I will be in violation of the terms of my loan and the bank will foreclose on the property and I will have to declare bankruptcy and my family will lose everything. This bill is flawed. An eviction ban is a one sized fits all solution that does not work. In my view it is a clear taking of property. Forcing me into a mediation where I get pennies on the dollar is not fair. I did not create this problem, Covid 19 and the government did. Government should solve the problem. The solution is rent relief. I urge you to please vote no on this bill.

Thank you.

Peter Wright

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Dinh

Hamy

4407 S shell st

Seattle

WA

98118

2064278404

Hamydinh82@yahoo.com

I am a small business landlord. I want to help people but this bill will cause me not wanting to help anymore as I will have no legal protection of my own to get the Tennant that is not responsible. I have to pay bills too, no one is providing that protection for me. I oppose this bill and ask for a reconsideration.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Brashen

Richard

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425-466-1634

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I own several single family rental residences that have mortgages. It is my retirement income. I am 70 years old and not really employable.

While I understand the plight of those individuals that lost jobs during Covid, it is sad and very discomfoting. What I don't understand is if my tenant isn't paying rent why I cannot evict them? If government wants to protect those individuals let government pay their rent. My mortgage doesn't stop, the interest meter doesn't stop ticking. How do you expect me to live if you cut my income to zero and my expenses continue?

Whether the help of those that can't pay rent is subsidized at the national, state, or local level that is a decision by the legislature. It shouldn't fall of those of us that provide housing. If the government wants to buy my rentals at full market value, I will sell them to you. Then government can provide housing as they believe is fair.

It just shouldn't fall on the small business person whose income comes from rental properties.

Thanks for taking this into consideration as you cast your votes.

Richard Brashen

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Perez

Grace

2218 32nd Street

Anacortes

WA

98221

360-420-5519

graceandvictor@yahoo.com

As a small landlord/rental property owner SB5160 unfairly leaves the burden that COVID 19 has brought about on landlords. I have seen several tenants purposely not pay their rent and join rent strike groups. If the state is going to allow tenants to not pay rent and not get evicted then the state needs to have relief for landlords/property owners. How is the property owner supposed to pay the mortgage, insurances, taxes and repairs? If this bill were to pass we could potentially lose all of our investments and go bankrupt! If this bill passes there will be less rentals available for people to rent because everyone will be losing or selling their properties.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Newton

Saint

600 University St, Ste 2018

Seattle

WA

98101

2069487330

Saint@ParagonREA.com

As a landlord I can tell you nobody evicts anyone for "no cause" - it is simply not a thing. We are running a business, we want good tenants, even if they are behind on rent. The reason for a "no cause" eviction is the tenant is causing problems in the community, in my experience this involves terrifying other members of the community.

The solution is simple, tenants need rental assistance, landlords need to retain the right to get rid of bad tenants, it is how a community stays a nice place to live.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro
dunn
jennifer

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Wa

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3606161086

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To whom it may concern,

The tenant rights in Washington state need to be expanded period. I have watched good friends have to move because of unjustified extreme rental increases in our area over the past few years due to homes being looked at as investment pieces instead of what they're supposed to be: HOMES. For our community members, not temporary provided residences for profit. There has been a systematic squeezing out of the very people that make life worth living in Washington, our service sector, more and more, and it's disheartening to see so many good people wind up in shelters and on the streets for no real fault of their own.

Not having the ability to break a lease that's abusive, enduring rent increases with no tangible reasons why other than landlords can legally do it is bad enough for normal circumstances. During a pandemic where everyone is hurting is just too much.

Compassion for our fellow citizens and our community members needs to happen for the very basic needs first: housing, health care, and empathy.

Thank you for taking the time to read this.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Pro
Emery
Paula**

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Seattle

WA

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paula.emery17@gmail.com

As a Seattle-area homeowner, attorney and mediator, and as a prior landlord, I support this legislation to promote alternative dispute resolution in cases of eviction for nonpayment due to the impact of the Covid-19 global pandemic.

Adding to homelessness solves nothing and we have a moral, ethical and legal obligation to help everyone through this difficult period in ways large and small. History will rightfully judge us poorly if we do not take care of those most vulnerable, now and in the years ahead.

Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Bassi

Amrik

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Puyallup

Wa

98373

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amrikbassi66@gmail.com

I am a housing provider and against this bill because this is totally against the landlords and tenants will abuse more by not paying the rent making groundless excuses. My tenant didn't pay or tried to pay for the last 16 months and didn't permit me to enter. Suggestions :--

There must be some safeguards for the landlords

Needy tenants may be enabled to pay rent by providing interest free loans to them by Governments

Amrik

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Rusnak

Cathy

9518 E. 4th Avenue - Office

CITY OF SPOKANE VALLEY

WA

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My name is Cathy Rusnak. Thank you for the opportunity to address this bill. I am a Spokane area Property Manager, as well as a Regional Manager supporting properties in many states. I oppose SB 5160 Landlord-tenant relations.

Washington's laws are by far the most anti-landlord. Bill 5160 does little to offer landlords any protections. Although it says rental assistance should be available to the property owner, this is in no way delineated. As was pointed out in the live testimony, landlords rights are hardly addressed at all.

I am suffering similar numbers to every other landlord. My properties have between 10-20% delinquent. Of these, about 2-4% have made payment arrangements. Many people believe that their debt will be forgiven and therefore will not respond to manager/owner(s). Although some of our residents are truly impacted by COVID, some are still working and have just chosen not to pay.

We agree that there should be protections for both tenants and owners, but 2 years is entirely too long giving little incentive for tenants to end their debt. Payment plan requirements are poorly defined. Finally, increased filing fees for UD put another onus on the owner.

Will there be stops on utility bills, property taxes and other services? Will utility providers continue to provide services without payment until landlords are compensated for back rent? Will code enforcement be lenient on landlords that don't have funds to make necessary repairs?

This bill is a best a very weak starting place. There must be a balance reached.

Thank you for your time.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Newton

Saint

600 University St, Ste 2018

Seattle

WA

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As a landlord I can tell you nobody evicts anyone for "no cause" - it is simply not a thing. We are running a business, we want good tenants, even if they are behind on rent. The reason for a "no cause" eviction is the tenant is causing problems in the community, in my experience this involves terrifying other members of the community.

The solution is simple, tenants need rental assistance, landlords need to retain the right to get rid of bad tenants, it is how a community stays a nice place to live.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Cervantes

Kimberly (KC)

PO Box 8337

Lacey

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I am in opposition of the proposed SB 5160 for multiple reasons. As a housing provider in Thurston County, I want to be able to do just that, provide housing. SB 5160 is a short term solution for a long term problem! In Washington State and all throughout the country, we have a rental housing shortage (Long term problem). When you tie the hands of a landlord and dictate what they can and can't do with their home, you take away the desire of landlords to invest in Washington. Whether that mean that new landlords choose to enter different markets or existing landlords choose to sell their current investments properties, this will impact the rental housing shortage. Rental properties being sold will be purchased by families that move into those homes, they won't continue to be rental properties.

Additionally, it has been shown in supporters testimony that rental assistance is not easy to obtain and not everyone qualifies for it. This is putting tenants in a situation where they owe thousands of dollars that they will never be able to pay back. This also puts landlords in a situation where they may lose the house simply because they cannot afford to pay the bills. Some of our clients are elderly and made the investment into rental properties rather than retirement plans (401k/IRA). If they do not receive rental income then they are in a situation where they may become homeless! There are very limited resources for landlords, although they are technically a small business, they do not have any of the protections, grants or loans that other small business do during Covid.

While there are many reasons that this bill does not offer any items for long term success, there are also immediate impacts as well. When looking at applicants, most property management companies have screening criteria in which they base their application review on. When a situation arises that an applicant has something come up on their screening/credit that would normally end in a denial, we can choose an adverse action option and still offer them a home with a higher deposit or other negotiated item. If landlords are put in a situation that for the next two years, a tenant can not pay their rent without any repercussion then landlords will no longer be willing to make an exception and take a risk on someone with a lower credit score or no rental history. This will even further limit the opportunities for an individual or a family. This is not going to fix the homeless crisis that we currently have. It will make is worse. I sincerely hope that you will consider rejecting SB 5160 and working with landlords to come up with a better solution.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Nugent

Ashlee

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3609079712

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It does not allow for any protection to the owner to confirm need, and remove a tenant who is not complying with the lease and/or damaging the homes. By placing these types of regulations on rental properties will do more harm than good for owners and tenants alike. Hold people accountable for their own actions, this isn't something the Government should regulate.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Stewart
Cynthia

declined
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WA
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Dear Chair Kuderer and Committee members of the Senate Housing & Local Government Committee:

There was quite a list of people waiting to testify in committee this morning, and as I was unable to do so, this is coming to you in writing instead. Thank you for your patience as you worked your way through all those comments.

As a representative of the League of Women Voters of Washington, I urge you to pass Senate Bill 5160.

Washington State has a serious housing and homelessness emergency. On top of a pre-existing homelessness crisis, the COVID pandemic has expanded the potential ranks of homeless. The hundreds of thousands of people who became unemployed or underemployed as the economy slid downward are at risk of losing their homes. The federal stimulus payments and rental assistance programs have been insufficient to stop this expansion of housing insecurity. Two months ago, we heard that over 170,000 people in Washington already could not pay their rent, through no fault of their own -- and it is only getting worse.

The federal rental assistance program has provided only about 10 percent of what is needed to assure that when the eviction moratorium is lifted, people will not be on the streets, as we are beginning to see happen in California and other states. The Governor's eviction moratorium has given time to work on proposals such as this bill to address the crisis.

The League of Women Voters can only advocate on issues where we have done a study and adopted a position through consensus of our members. In the case of housing and homelessness, our position is clear: everyone should have a place to live. We know it is less expensive to keep people housed than to deal with the effects of homelessness; and we know that without housing, people cannot stay physically or behaviorally healthy, work productively (when work is available) and contribute to the economy, be educated or make the behavioral changes necessary to address climate change.

The tenant protection during the COVID phase provided in this bill by prohibiting evictions during that time, requiring that efforts be made to develop reasonable tenant repayment plans, and providing attorney representation for those on public assistance would also protect landlords when tenants do not fulfill their agreed-on repayment responsibilities. Landlords as well as tenants are served well by the dispute resolution element also. These are fair and reasonable protections for a crisis such as the one we are experiencing.

The League is also supporting the rental assistance funding necessary to make this work.

Please pass Senate Bill 5160 to provide some measure of security for both tenants and landlords during this horrific period and in the future if something like this happens again.

Thank you--
--Cynthia Stewart, Issue Chair
Housing/Homelessness
League of Women Voters of Washington

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Wingard

Daniel

2506 Meadow Ave N

Renton

WA

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I support tenant protections, especially at this time. However, this bill falls far short of actually helping tenants long-term. It's a short-term band-aid that cuts off the hand that feeds the tenants. It's like telling farmers, restaurants or grocery stores to serve free food because they have food and people are hungry without any support for the suppliers of the food. The farmers then stop farming, the supply chain stops and everyone loses. How does this bill make sense in any way, other than temporary? This bill takes the burden off of the government and puts it squarely on the shoulders of business owners who work to provide what is needed. How about providing rental assistance instead and looking for creative ways of funding that? Thanks for using common sense and NOT passing this "feel good" bill that actually provides a huge disservice long-term.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Donovan
Colin

6556 42nd Ave SW #4
Seattle
WA
98136
206-415-4885
colinface@gmail.com

Dear Senators of the Committee:

My name is Colin Kennedy Donovan. I am a queer trans disabled activist and organizer, with a background in civil and legal rights for those with disabilities, who has lived in WA State since 1995. I am writing in support of SB 5160, and urge the Committee to consider the following improvements to the bill.

1. Insure a comprehensive mediation and trauma informed resolution process, IN ADDITION to the legal representation provided for in this bill. I support other testimony heard today that points to the systemic racism in the court system which means that even with appointed legal council, systemically and historically disempowered BIPOC, especially those with disabilities, are treated unfairly within the legal system. The appointment of legal council, while needed, still places the burden on covid-vulnerable renters having to move through the legal system, and we need to ensure multiple options for resolution, including options that bypass the court systems.

2. I agree with other testimony heard today that urgent action is needed; the fact is that covid-19 has created a context of global disability status. The nature of COVID-19 as a mutating virus, as well as the strategic deployment of COVID-19 as a weapon of disinformation and white supremacy by the national government, means that states have a moral responsibility to protect the housing status, and the health, of those with disabilities, LGBTQ+ individuals, and Black, Indigenous, People of Color tenants statewide, particularly those who have long been targeted by conservatives. In this time, as others, we pay with our lives. WE HAVE A MORAL RESPONSIBILITY TO ACT.

To allow landlords, those who profit off of the basic needs of other people, to act as though they are "protecting tenants" by arguing against this bill, in the midst of this immense and ongoing health emergency? NO. It's immoral and tenants must be protected first.

3. The provision in this bill for a required payment plan is important; my own landlord has been violating all covid-related housing law since August 2020, once I fell behind on my rent due to COVID-related impact, despite never having been late on rent in my adult life prior to August.

Since then, I have been forced to endure repeated illegal eviction threats and demands for immediate full payments from my landlord, who works for Seattle Public Schools as a SPECIAL EDUCATION TEACHER. Despite her professional responsibilities to KNOW DISABILITY LAW, desperation about the mortgage on my bldg, my landlord's first rental property, has led her to flout all housing law in a pandemic.

My landlord is an example of the desperation-fuelled cruelty landlords inflict on the vulnerable. Because of my professional background in disability law and and my knowledge of working with those in high mental distress, I have remained in my housing, and have repeatedly de-escalated each confrontation. In mid-December, I was lucky enough to be chosen for a housing lottery program through the Multiservice Center in Federal Way, which my landlords received, eliminating my accrued rent debt of over \$9200. Yet as of this month, I am once again accruing rent debt, while I search for employment and a way to navigate out of this situation. I am disabled with conditions that make me vulnerable to COVID, and have no savings. I'm barely surviving on donations that I solicit online.

Despite receiving all back rent for August through December, and despite my calmly and repeatedly explaining the covid laws to my landlord, I received another PAY IMMEDIATELY demand for January 2021, as I am unable to pay rent currently. There is no doubt that my landlord will continue to be difficult to work with; she is unreasonable. This is something to consider when weighing the bill; the inherent power imbalance for tenants while in a life and death situation like COVID-19.

Without the protections in SB 5150, I will be extremely vulnerable to homelessness and the continued hostilities of my landlord. I have no savings, and I have no options for remaining housed at this time if I am evicted, despite my previously flawless rental history.

Do not be swayed by a few stories of "lazy scammers" when considering the overall health and needs of the state in stopping COVID-19.

We don't need (nearly all-white, state-wide) owning class people arguing about "welfare queens" right now. NO. BIPOC are dying at SIX TIMES the rate of white folks of COVID-19. LGBTQ people and people with disabilities? Also hugely vulnerable. We have a responsibility to protect ACTUAL HUMAN LIFE over the chosen JOBS of landlords.

Everyone, and I do mean everyone, is vulnerable to COVID-19, which can and does cause long-term disability in many cases and is still far from being understood. Now is the time to act in new ways. Please VOTE YES on SB 5160, with the improvements mentioned considered for inclusion. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

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Just reading this bill gives me chills! It would have a devastating effect on landlords in Washington. We have had similar bills in Oregon and the end result is, predictably, less rentals available. Many landlords choose to sell their rentals, mostly rental homes, rather than deal with draconian rules which leaves less and less inventory for renters to choose from.

And how is sealing court records helpful? How does that even get in the mix? A person who has been evicted before is less frightened of the prospect in the future. And, AND you are mandating FREE legal services?!?! Are you providing that for landlords? How does one protect their property from bad tenants? A rental contract is an agreement between a property owner and a person wishing to use that property for a limited time - as long as both parties abide by the contract.

Does ANYONE who wrote or sponsored this bill have rental properties of their own? I would bet not. Imagine handing a suitcase of money to a complete stranger. That is, in essence, what you are doing when you rent property. The property owner has every right to make decisions based on the credit worthiness and history of the person the suitcase will be given to.

Please contact ANY landlord attorney, or rental owner's association, in Oregon to discuss what similar bills have done to the rental housing business in Oregon before implementing this ridiculous bill.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Agi
Jess

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Chair Kuderer and members of the Senate Housing & Local Government Committee,

Thank you for the opportunity to provide testimony in this most unusual of sessions. On behalf of the Children's Campaign Fund, we support this legislation which helps to prevent the destructive and lasting impacts of housing insecurity on children, youth, and families through measures including rental assistance as we face one of the most severe housing crises in our history.

The pandemic continues to have a devastating impact on kids and families, and health and education outcomes will irreparably suffer without housing stability. For children growing up in a household that is forced to move on short notice, this often means switching school districts suddenly and having to catch up on lost schoolwork, severed friendships, and household stress from eviction. We cannot afford to risk the profound effects of stress and family instability on the social and emotional development of children. Housing instability leads to poor health outcomes including negative impacts on children's mental health and food insecurity, which go on to create cascading crises and challenges. This bill will provide urgently needed stability and security for our most vulnerable children.

Additionally, the pandemic is disproportionately affecting BIPOC families. Households of color, especially Black and Native American households, were at much greater risk of homelessness even before the pandemic. A 2018 report on homelessness in Pierce County found that Black/African Americans represent 26.3% of those needing homelessness assistance, despite making up only 6.6% of the general population. Additionally, statewide student homelessness data has consistently shown that students of color disproportionately experience homelessness. During the 2017-2018 school year, 1 in 11 Black students experienced homelessness, with Native American/Indigenous students also experiencing high rates.

Evictions will catastrophically impact our most vulnerable children. By providing opportunities for repayment plans among other vital resources and protections, this bill will help keep families together in stable housing while meaningfully addressing racial disparities. I implore you to prioritize the needs of Washington's kids and families as you consider the actions needed to survive and recover from the pandemic. Thank you for the opportunity to testify.

Jess Agi
Executive Director, Children's Campaign Fund

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

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Ashley

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It does not allow for any protection to the owner to confirm the need to remove a tenant who is not complying with the lease and/or damaging the homes.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

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Thank you for taking testimony on this important issue. I am currently a home owner, but I have been both a landlord and a renter. I am in favor of doing whatever it takes to stabilize our working class and middle class because the whole economy will collapse unless we have stable working and middle classes. Housing is the first and most basic component necessary to survive and keep both adults and children safe. Homeless children are sexually abused at an extremely high rate. Our current economic depression is due to the corona virus. We must help our citizens survive until we can get the economy on a healthy footing.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Ertel

Kathryn

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Seattle

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I am writing in support of mediation instead of immediate eviction for tenants who are behind on rent when the moratorium ends.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Revelstoke

Kari

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This bill would go a long ways for protecting people from homelessness. It's important that we don't put more pressure on families who are already struggling with income loss. I understand the need to protect landlords, but the greater need is to protect people from losing their homes. There are already too many people on the streets and in shelters.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Thomas
Michael

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Hello Senators,
 I am a US citizen and resident of Redmond in the 48th district.
 I oppose SB 5160 because it will have a major impact on my ability to support my wife and children.
 I worked for over 30 years in software. My family lived modestly and we saved. We invested much of our savings in two small apartment buildings in Seattle. In 2018 I left Microsoft for a career change to managing the apartments.
 I provide quality living at affordable rates and am fair to tenants, while making a small profit.
 My rental rates are \$800/month to \$1575/month, providing some of the most affordable housing in Seattle.
 I haven't evicted single tenant, and very seldom charged late fees or notice fees. I've worked with tenants to resolve issues.
 I have given across the board rent credits of 10% to help tenants.
 Since the pandemic started my businesses have gone from making a small profit to barely scraping by. My family is living off of savings. I may soon need to support them off of my savings as well.
 The Paycheck Protection Plan doesn't help much because it is based primarily on wages paid.
 If this continues, eventually numerous small landlords like my wife and I will be forced to sell at discount prices to deep pocketed entities.

The problems I have are more due to the regulatory changes than to the pandemic.
 The eviction bans have taken away my ability to enforce rent collection and left me unable to enforce safety or other rules.
 The tenant is free to completely violate the contract, and I am still required to honor it.
 Examples:
 1) Tenants not reporting roommates. Tenants move in roommates but don't fill out a roommate addendum. This reduces their bill, as my leases call for utilities to be prorated according to registered occupants.
 2) Tenants smoking in units. I have non-smoking apartments, and get improved safety and reduced insurance rates for this.
 3) Tenants not establishing their own electricity accounts with Seattle City Light, and I pay them to avoid having their electricity shut off.
 4) Difficult collecting rent and utility payments.
 Many tenants make every effort to pay whatever they can and are a couple months behind and growing.
 But let me tell you about one tenant.
 She and her boyfriend have lived with me for years. Over those years, they have sometimes failed to pay rent, but after getting a notice, they paid up.
 However, in October 2019 they started getting farther behind. In March of 2020, I gave them a notice and they until they verbally agreed to a payment plan
 Then the eviction ban went into effect, and they stopped paying and communicating. Their bill is currently about \$20,000.
 They are fully employed. A car dealer called me for a credit reference on a car they were attempting to buy.
 If the eviction ban had not gone into place, they would have made every effort to honor their payment plan.
 I really need a solution to deal with these tenants.
 SB 5160
 My biggest fear related to these protections is that more tenants will choose not to pay rent, given how difficult it will be for me to collect back rent causing me large losses.
 Section 3, (2) is truly disturbing. There is a presumption that any notice issued constitutes a reprisal.... I thought in the US we were innocent until proven guilty.
 This applies to "any notice". So if 6 months after the health emergency a tenant breaks rules or doesn't pay rent, I would be presumed to be doing a retaliatory action if I give a notice?
 Section 3 (3) Applying penalties to landlords for attempting to enforce a contract?
 Section 5: I don't see any workable way to make payment plans dependent on each individual's health, financial health, and other circumstances. The landlord does not have any right to access the tenant's private information, and the tenant may choose payments close to 0. And if the tenant gets a job later, the amount should go up.
 Section 8. The dispute resolution center is not part of our current processes. This adds costs and potential delays.
 Summary
 I am happy to provide affordable housing and I work with tenants.
 But my businesses are hurting, preventing me from supporting my family.
 This bill will continue the pain for my family while doing little to help my tenants.

Suggestions

Specify generous but clear repayment plans. For example, not payments for 6 months after the emergency and equal payments over the next 18 months.
 Utilities aid for landlords and tenants.
 Provide a forcing function to encourage tenants to honor their contracts, follow the rules, pay the rent and utilities, etc.
 Make eviction restrictions based on tenant's ability to pay. For example, we could set a baseline that the tenant must pay at least 30% of their income for rent to qualify.
 Property tax aid should be provided to landlords whose tenants are not paying.
 Small business programs need to target landlords to help pay either tenant's rent or landlord expenses.
 Thank you,
 Michael W. Thomas

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
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Rowland

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Madam Chair, Ranking Member and members of the committee,

I am Rowland Thompson, and I am representing Allied Daily Newspapers of Washington and the Washington Newspaper Publishers Association. We are the daily and community newspapers of the state.

I'm sorry that I wasn't able to testify remotely today, but clearly you had many, many people waiting and wanting to testify on this measure. I hoped to be included in the end, but that was not to be.

First, let me observe that almost all the people who spoke today did not address specifics in the bill and we intend to address specifics in only one section of the bill.

We signed in as "con" today because the sign in system does not have any nuance in what targeted opposition might be, and merely checking "concerns" doesn't register the depth of our opposition to what is attempted in Section 16 on line 23 of page 23 of SB 5160. On the remainder of the bill we have no opinion or position, but the need to maintain open and accessible court records is a bedrock public policy advocacy belief of newspapers generally and our newspaper associations specifically.

Section 16 sets up an impossible situation for us in that it appears to contemplate ordering the court by legislative fiat to seal (without a judicial order or proceeding) an entire class of civil suits involving judicial review of the breaking of a contract between two adult parties as signers. It also appears (through the manner in which parties can identify and access the affected case files) to anticipate that this legislatively mandated sealing would include the case index within this sealing thereby eliminating any evidence or notion of the existence of the case.

Under General Rule 15 the courts do not seal the index of cases when the underlying cases are sealed by order of a judge unless this index sealing is mandated by statute. The only cases currently allowed by statute to have an index sealing are those involving juveniles in dependency and adoption cases, and some juvenile offender cases after a specified time of non-offense. No proceeding involving adults (criminal or civil) has been merited to deserve this level of protection and doing so here would raise an unresolvable conflict with Article 1, Section 10 (Administration of Justice) of the Washington State Constitution, which states, "Justice in all cases shall be administered openly, and without unnecessary delay."

This section would also, without any hearing or judicial findings or process, demand that the courts seal an entire category of cases essential to orderly, fairly, and legally settling disputes between landlords and tenants that affects a large and highly critical section of the economy, and dramatically affects the economic well being of multitudes of small landlords and tenants as well as the financial viability of larger property management companies, not to mention the supply of rental housing stocks and associated issues around homelessness.

We, in the newspapers, in normal times, have a fundamental interest in reporting on the fairness, objectivity, and balance of our courts, both civil and criminal. This oversight includes reporting on elected judges, prosecutors and clerks, as well as myriad public programs like public defenders and civil legal aid. It is our responsibility to our readers, which includes you in this legislature, to highlight failures, injustice, bias, mispent funds and any other shortcomings within the civil and criminal justice system that we are able to uncover. This uncovering, and reporting which you rely upon us to do is not done in the aggregate, but on individual cases, and it cannot be done on those matters purposefully sealed or hidden from the public without an available index or accounting.

I will not presume to speak for the court administrators, clerks and judges on how they could possibly deal with the rubric of having these cases being pulled in and out of public view as contemplated in Section 16 of SB 5160, but I only know from the many judicial boards and commissions on which I have served dealing with court records, that you are setting them a difficult, error prone and well-nigh impossible task if this becomes law as written.

It is for these reasons that we oppose Section 16 of SB 5160 and would welcome any role in working on a solution to this portion of the bill. Thank you,

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

David

Kat

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Greetings,

It is vital that we strengthen eviction protections related to the public health emergency of COVID-19. As a resident and health care worker of Whatcom County, I have seen many individuals suffer when they did not have secure housing. Often people in these situations are unable to feel safe, have to constantly be on alert, feel alone and struggle with self-worth or lack of dignity.

Living on the streets or in shelters can be dangerous situations for many reasons, and risk only increases as folks in these situations are often unable to safely socially-distance. I also have seen that when folks are houseless, they become more hopeless and suicidal – the statistics confirm this. Housing is a public health issue, and it is of utmost importance to ensure we provide safe housing and maintain dignity for our people.

Thank you for your time,

Kat David

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Walker

Jillian

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Hello, my name is Jillian, and I am a rental consultant at a 182-unit community. I am here today to share my opposition to Senate Bill 5160. I personally do not want to see anyone get evicted. However, some things need to change, or we are just going to keep prolonging the problem. This eviction ban has only provided incentive for tenants to not pay their rent and for tenants to break rules that they had agreed to in their signed lease!

I had a recent experience with a tenant that obtained an unauthorized animal. Mind you, this animal was well over our 20lb weight limit and it was on our restricted breed list. After reminding the resident of the pet policy, I was immediately greeted with hostility and anger. The resident stated "What are you going to do about it!?" You can't kick me out!

If you will, imagine you are a landlord and you are renting one of your properties to someone. Covid-19 hits and they still manage to get their rent in on time to you. Then suddenly it stops. There's no communication from your tenant. You try and reach out to make sure they are okay. You offer payment plans, information on rental assistance, and even offer them an employment opportunity. The months pass, you still see them coming and going every day. They even receive multiple packages in the mail. You wonder why they are not communicating with you. You have only been kind and tried to help them in any way you can. But as the landlord you are expected to keep up with all your own bills, mortgage, insurance etc.

This brings me to my next point. Why can residents terminate their tenancy due to COVID-19 but we can't terminate it with them due to COVID-19. We are impacted just the same. We had a tenant that moved in prior to COVID-19 and had asked to be transferred to a different apartment because the noise from the road was bothering them. At that time, nothing was available for them to be transferred to that was away from the road. This resident kept up with their rent and wasn't an issue. Once COVID-19 hit, that person stated they had to move due to COVID-19. Come to find out that person ended up purchasing a home. I thought it was great that person bought a home. However, I do see this as a loophole for tenants to get out of their lease. Leaving for COVID-19 reasons does not constitute buying a home.

I hope you will consider my concerns and work with housing providers to create a bill that works for everyone.

Sincerely,

Jillian Walker

Rental Consultant

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

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Denice

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I am a Realtor, a Property Manager, and a landlord. I am opposed to SB 5160 as written, and would like to see your committee work toward amendments equalizing the impact to tenants and landlords.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Price

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Dear Housing & Local Government Committee,

SB 5160 is an unfair bill that should be actively opposed. It unfairly and unilaterally removes the property, business, income, and self determination rights of well intentioned landlords everywhere who have already been very negatively impacted by Washington government using landlords as uncompensated government assistance programs.

Many landlords have invested their life savings and work very hard to provide quality housing to people everywhere. We are small business owners, and tenants are our customers. We have been way more than a "team player" by being under the government's unilateral restrictions on our business and contractual obligations. The benefits of course have been one way: tenants win, landlords lose. There are literally no benefits to landlords of any of the government's recent actions. Even IF a tenant takes advantage of government assistance programs, then that only results in status quo with extra work for the landlord.

Let me share a personal story, one among many: For one of my rental properties, the tenants stopped paying rent as soon as the governor started the eviction moratorium almost a year ago. The tenants did not respond to phone calls. They did not respond to our offer of a payment plan. They did not contact rental assistance programs. They just "milked it" and took advantage of policies such as get perpetuated with SB 5160. Finally, only of their own accord (since my rights have been revoked by the government), they recently just left with zero payment. So, they received almost a year of free living at my direct expense while I paid the mortgage, property taxes, insurance, property management, landscaping, legal, exterior maintenance, and even had to fix things inside to keep the home properly habitable even though the tenant refused to pay for their contractually obligated (lease) services. Then, on top of providing free housing and me paying everything out of my own savings along the way, they left the unit with over \$5,000 of damages that I now have to pay to get the home rentable again.

Small housing providers are faced with a total lack of protections for large increases in property taxes, utility costs, and potential devastation of their credit with lenders. Rent control has proven to be a terrible policy for both housing providers, city planners and tenants alike. The policy creates perverse incentives, shadow markets, and punishes maintenance and reinvestment in residences. It locks tenants into their rental properties forcing people to commute farther and farther to their places of employment, and allows more affluent renters to pay reduced rent rates, blocking the units from being available to those in need.

We have already been used and abused enough by the government that is unfairly and unilaterally targeting landlords to provide free government policy/programs for citizens. Arbitrarily extending this situation for another 6 months in the still to be determine future and BEYOND the emergency period is unconscionable. We need a light at the end of the tunnel, and this bill just keeps kicking the can down the road. We all support housing for all. However, it is extremely inappropriate for you to force landlords to implement your policies that very clearly and factually benefit one group over the rights of another group. Please strongly oppose this provably unfair and unsustainable bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Lofgren

Maria Sofia

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Normandy Park

Wa

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I would like my position noted for the legislative record that i support Senate Bill 5160, which extends eviction protections and provides other important aid to renters

Maria Sofia Lofgren

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Hopper

Roseanna

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Housing is a Human Right

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Con
gowing
stephanie**

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WA

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Hello, we are working parents that are also be landlords to provide us retirement in 25-30 years. We have 5 SF properties and we have worked very very hard to make wonderful homes for others, while teaching our kids business/trades skills. We have had one eviction pre-COVID, and covered rent for 6 months. Eviction notices/processes take a very long time and "mom and pop landlords" like we impacted

All our properties hold mortgages, and we have a responsibility to lenders. We have just built back our "un-occupied savings".

Our comments/suggestions to 5160:

- 3rd party/moderator to help with payment plans, assistance, budgeting and other social services assistance, that allows both landlord and tenant agree to terms. Could this 3rd party use voucher funds to offset some of the tenants payments, could they help with unemployment claims, and other services to help tenants and landlords
 - There needs to be an easy pro-active process for landlords to not pay utilities, taxes, and lender fee's while a tenant is not able to pay rent due to COVID19.
 - tenant improvement funds (weatherization, solar, energy improvements) could occur through a state funded program to SF properties that are housing unpaid tenants. This could be a workforce program- that provides value to mom and pop landlords.
- I fear that as this bill is written, it could actually increase discrimination to essential workers and their effort to seek housing and weaken the SF supply because of the fear to get into property management.

Please let me know if you have any follow up questions. Thanks for your time.

Steph and Todd Gowing
Tacoma, WA

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Galati

Bridget

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Hello,

I am the Executive Director of Compass 2 Campus, the mentoring initiative at Western Washington University established by this legislature in 2009. We increase access to higher education by providing low-income and underrepresented students with trained college student mentors. We are seeing the effects of the pandemic and the loss of income for many of our mentees, mentors, and their families. In my capacity, I hear stories from across Whatcom and Skagit counties of housing insecurity, job loss, and lost income. Our kids and our families are scared. The stress that our poor and working-class families are under is past the breaking point. Quite simply, kids can't learn if they don't have a home. I am so thankful to Senator Lovelett for her advocacy on behalf of families and children, and urge others to vote in favor of this Bill.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Jordan

Dana

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Benton City

Wa

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Dear Legislators,

The intentions of this bill are laudable. However, the reality is it will bring devastating effects to owner rental managers, who have suffered enough. You've tied our hands, we cannot evict ANYONE, they can destroy our property? Deal drugs? Refuse to pay, because " you can't evict me anyway bitch?" That is a direct quote from a boyfriend, living illegally, with a tenant whose income was not affected by the pandemic. But she won't pay. She doesn't have to because the law said so. Direct quote.

What you are attempting to enact is allowing outright theft of our resources, and our rights, as owner rental managers.

Don't you think we WANT to and WILL keep decent tenants? Payment plans and grace , most all of us operate on those terms regardless the pandemic.

What about the tenant whose income has been unaffected by this pandemic, yet look us in the eyes and say, " you can't evict me anyway." Or the tenant dealing drugs? Or the tenant who is quietly literally destroying a home?

We are NOT the enemy, and this legislation, however well intended, is NOT THE ANSWER. Please don't do this.

Sincerely,

Dana Jordan

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Foltz

Mark

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Seattle

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Members of the Housing & Local Government committee,

We are writing in support of SB 5160, which provides crucial protections for tenants as we emerge from the pandemic and the economic crisis it has wrought. Half a million Washingtonians are taking on credit card or other debt to keep what housing they have - many thousands of others are unable to make rent payments at all.

If we do not help Washington families stay in their homes, they will be unable to get their heads above water after the pandemic is over, leading to evictions, bankruptcies, and pervasive homelessness across the state. Washington will have no economic recovery without housing stability for Washington families. SB 5160 provides protection for tenants for no-cause evictions due to unpaid rent, legal representation in eviction proceedings, fair notice and interpretive services.

Please pass this bill out of committee as soon as possible.

Thank you,

Mark Foltz, on behalf of Welcoming Wallingford

Welcoming Wallingford are Wallingford residents and friends who welcome more neighbors and say "YES! in our backyard." Our vision is a more equitable, sustainable, and inclusive Wallingford and Seattle.

welcomingwallingford@gmail.com

<https://facebook.com/WelcomingWallingford>

<https://twitter.com/WelcomingWally>

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Cummings

Kristina

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People are hurting. We need more resources to ease people's suffering. However, SB 5160 is not the solution.

It's a bandage that will hurt small, family-operated rental businesses. Imposing the same regulations on small-sized housing providers that you might on large scale rental investment companies, who often own hundreds or thousands of units, would force individual and small family-operated housing providers out of business and reduce the pool of affordable housing (because individual owners will sell to developers who construct newer, more expensive units and those who are already struggling will be displaced).

We want people to remain housed. Consider rental subsidies in the form of direct payments to the housing providers for those who were forced out of work due to government regulation or because of illness.

Property owners still have to pay operating costs, such as the following: property taxes, L & I, insurance on the property, building maintenance, utilities, wages, accounting and bookkeeping fees, and oftentimes mortgage(s). Large housing providers are at an advantage because a few units not paying will not prevent operating costs from being met; however, individual and small housing providers are not as able to absorb the cost of lost rent over several months at a time.

Please table SB 5160 or consider revising it, and consult industry experts about exempting those who own fewer than an agreed upon number of units.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Bauman

Darcie

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Issaquah

WA

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I am urging all to recognize the extreme importance of passing SB 5160 for landlord/tenant relations during this most uncertain time. Many of us that are extremely low-income, with young children in the home, even prior to Covid-19 were and still are having a very difficult time making all ends meet. Now more than ever, many of us have either lost their job completely, or have had their hours severely cut from before the pandemic.

I currently work in retail, in Redmond WA, and my hours have been cut to only 10 hrs per week, due to the vast decline in the in-store shopping arena.

Many of the small, local business have gone out of business, especially at the Redmond Town Center. I can tell you first hand, that the shopping malls are definitely not even close to what they used to be before Covid-19 hit. No one is buying. People do not even have enough money for food and rent! I work in a Jewelry store, and it seems as if no one is purchasing jewelry during these tragic times. My boss had to hire an attorney just to be able to negotiate with the Redmond Town Center to keep her store rent/lease at a maintainable monthly amount just so that she wouldn't have to go out of business & keep the doors open. Now, more than ever, us less fortunate & low income in low income subsidized housing are facing depressing times and real fear of losing their housing. Please consider the many reasons that this bill needs to be passed. I am begging of you, to consider your fellow community members that are struggling to just stay alive. Please vote YES on SB 5160.

Thank you for your consideration.

D. Bauman

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Villalba

Tara

decline

Bellingham

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I'm Tara, one of the 40 thousand renters in Bellingham, asking you to keep renters housed through this pandemic by passing SB5160. I'm a single mom of three kids who live with me full time. I am a teacher and earn just under \$50K. This year, I couldn't find work in the summer. In March 2020, I moved with my kids into a new house, because we were threatened with a no-cause eviction in February. I broke my lease 2 months early because I know that's better for my housing record. I paid for those two months in exchange for a good housing reference from my landlord's wife. I got pneumonia in April and May but couldn't get a CoViD-19 test until June.

I always prioritize my rent over all other bills coz I know we don't have another place to go if we lose our housing. I'm current on rent but I spent all \$5000 of my savings and owe another \$7000 so I could pay my rent, utilities, and medical bills. I'm going into debt so my landlord can have his full income. That's not a fair balance. We need these evictions protections because if I lose my job tomorrow, I can't pay rent in full, and support my family's basic needs. Even if my landlord is patient for a month or two, I know I wouldn't find an equal paying job in this gutted economy.

I'm part of a tenants union. I've seen it over and over, my fellow tenants who move under threat of eviction, just to avoid that eviction on their record. I've seen desperate tenants who can't find rental housing because of an eviction on their record. I've also seen so many of my fellow tenants in Bellingham lose their jobs, and have their hours cut. Making these protections more permanent allows us to breathe, keep ourselves healthy, and focus on other things like working or finding work, and meeting our basic living obligations.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Mitchell

Marjorie

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Bellingham

WA

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I write this testimony of PRO in support of SB 5160, Landlord-tenant relations.

For me, voting PRO for this bill is a clear fight for renter protection. I support this bill because it protects renter who are low income and provides counsel for tenants in eviction proceedings. During a global pandemic it is even more critical that we protect those who have suffered a loss of income and provide resources. Housing is a human right. Thank you Sen. Lovelett for your work in supporting this bill.

Thank you.

Jorie Mitchell,

Bellingham, WA

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Becker

Bruce

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Seattle

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Please vote against SB5160. This bill will create great hardship for landlords, especially small landlords like me. I have two single family homes in Seattle that rent at very reasonable rates.

SB5160 provides for

1. Forced renewal of leases by the landlord.
2. Extended periods of non-payment of rent by tenants - even if they are not experiencing hardship.
3. Onerous penalties for landlords.

While the tenants are not paying the rent, the owner's expenses continue - mortgage, taxes, and repairs must be paid.

All these factors add to the risk to a landlord, and then to additional screening which makes it even more difficult for financially marginal tenants to find housing.

The expensive and complicated rental laws like this cause landlords to sell their rental properties. Small landlords like me are really the best bet for affordable housing for many tenants. I do much of the work myself, thereby saving money for the tenants. Bills like SB5160 create the incentive to sell. I get inquiries every week asking me to sell my rental homes. Sometimes these inquiries come with signed Purchase and Sale Agreements. These offers are typically all cash, no contingencies, and quick closing offers. If I sell, my two houses will be permanently removed from the rental housing market - they will be owner-occupied..

Please oppose SB5160.

Thank you.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Pro
Martin
Noah

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To the members of the Housing & Local Government Committee,

We unfortunately did not have enough time for me to testify in person yesterday, so I am submitting my comments in writing. My name is Noah Martin and I am testifying in support of this bill on behalf of Quaker Voice on Washington Public Policy, a grassroots organization that represents Friends from nearly 30 different Meetings and Worship Groups across Washington State. Our community includes both renters and landlords, and we know that both are still reeling from the effects of Covid-19. While the Governor's stay-at-home orders saved lives, they also cut off countless renters and landlords from their only income.

We can confidently predict that unless the Legislature acts proactively, the end of the Governor's eviction moratorium will put an enormous strain on our state's already-overburdened systems of justice, housing, and healthcare. The protections in this bill are essential to prevent widespread chaos for service providers and needless conflict between landlords and tenants precisely when we need to cooperate as a community to get through this crisis. We echo the support for a mediation process outside the court system for landlords and indigent tenants to establish individual repayment plans and to avoid further fees and immediate eviction. This a pragmatic alternative to the mass eviction tragedy we'll otherwise face. Good governance demands humane policies like those in this bill.

Thank you for your due consideration.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Davis

Charles

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Steilacoom

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I urge you not to allow this law into effect as we all are making ends meet and don't want the ability to pay our mortgages and hopefully save some extra for repairs. We worked so hard to have our money taken from us.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Leabo

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I strongly oppose any form of rent control. The market needs to determine rental rates. There is no control of tax increases, cost of expenses, cost of repairs, cost of labor, unknown results beyond the control of the owner, situations that change for tenants that affect what ultimately happens to the property and ultimately the owner.

Everywhere this has been tried, it has FAILED. It is a bad idea and should never be approved.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Yim
MariLyn

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My husband & I are small mom & pop landlords providing housing for 5 rental households in King & Snohomish counties. We urge you to vote NO on SB 5160 and do not advance this bill.

There are a lot of small mom & pops like us who are in real trouble. But for many of us there is no money â€” no rental income and no govâ€™t assistance while we have no flexibility to lower the costs of providing housing. Most people could not go for 10 months without income, and this bill extends this another 2 years post-COVID - who knows when it will end? Many of us will not survive to the end of your 6 year Senate terms. We are taking hit after hit facing foreclosure or forced sales, and reducing the rental supply will hurt renters too during this housing crisis.

Some renters arenâ€™t even talking to their landlords. This bill does not obligate them to even communicate so landlords can work together with them.

Many renters think the eviction moratorium protects them from paying rent, and now they will think they can continue for another 2 years. In any case the longer this extends, the longer they will accumulate an insurmountable rental debt.

No proof of COVID hardship is required, so anyone can take advantage & stop paying rent at the expense of their housing provider. Meanwhile, the costs of housing continue to add up for both us and the renter. This bill isnâ€™t doing anyone any favors.

In addition, this bill unnecessarily & permanently complicates the eviction process. The 5 county pilot mediation program hasnâ€™t even been used yet â€” itâ€™s premature to make that untested program permanent statewide. Small landlords like me are doing this ourselves & donâ€™t have property managers, accountants or lawyers working on our behalf, savings that are passed on to our tenants. Complicating the process will force us to spend more time & money just to operate. Increasing those costs will result in higher rents.

It makes no sense to line the pockets of eviction attorneys when the money ACTUALLY is needed to pay for rent. That would keep the renter in their home and out of court.

This isnâ€™t an eviction problem, itâ€™s an income problem. Eviction moratoriums DO NOT put money in people's pockets. This allows the problem to grow to an even bigger problem without a solution. You must quickly & easily provide enough RENTAL ASSISTANCE to help everybody â€” renters and property owners â€” to meet their obligations.

Please VOTE NO on SB 5160. Thank you.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Gilmore

Nancy

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Lake Stevens

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I am against SB5160. As a property manager in the industry for over 22 years, I know that these are unprecedented times we are living in. However, I do not see how this bill will benefit tenants or owners in the long term. Out of the several tenants we have that are not currently paying rent due to the moratorium, only a handful of them are truly because of Covid19 layoffs or illness. Most are just using the system as an excuse for their non payment, if they communicate at all. The ones that are truly affected by the pandemic have sought out relief from agencies and have gotten some help by way of the relief funds made available. The others do nothing. Owners are not able to pay their mortgages and tenants continue to live their best life with no enforcement of their lease agreements. I do not see how forcing owners to keep tenants for 2 years after the moratorium will benefit the rental market if owners are forced to sell their property (thus removing another rental from the market)...we are already in a rental housing crisis. Please reject SB5160.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Pro

Woeck

Christina

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My name is Christina and I am a tenant that lives in the 42nd district, a student, and a healthcare worker in a long term care facility. I am in support of bill SB5160 passing. I wholeheartedly believe there should be a stronger protections for renters, especially during a global pandemic.

Personally, I already pay half of my monthly income towards my rent. I am fortunate to be employed during this global pandemic. But each month I narrowly squeak by in being able to pay my expensive rent, all of my bills, and life expenses. I am able to do so with the help of my credit card and going into debt each month. I would be unable to pay a higher rent without going into deeper debt each month.

Iâ€™m personally getting through the pandemic so far with being able to pay my rent, but there are many people that are not due to no fault of their own. As the pandemic continues, I think we need to be doing everything we can do to support each other as a community and protect all people, but especially vulnerable people. In this case that means protecting tenants and therefore I strongly support SB5160â€™s proposed protections for renters.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Gorton

Julia

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Dear honorable members of the Housing and Local Government Committee;

On behalf of the Washington Hospitality Association, which represents thousands of local restaurant and lodging establishments across the state; we respectfully urge you to hold SB 5160 and reconsider a few provisions and it's impact on the hardest hit industry of the pandemic.

As you are aware, the world wide pandemic and economic crisis brought by Covid-19 has devastated our industry; specifically the lodging sector. Seattle has the lowest occupancy rates of any city on the entire west coast of the United States. Q2 of 2020, the last quarter which data is available and which is typically the busiest quarter of the year was down 79% over previous year's Q2. On top of the economic crisis, our members have also been impacted by the Governor's eviction moratorium, in many instances being forced to provide accommodations without payment for weeks and even months.

Unlike traditional landlords, this places lodging establishments in an even more challenging position. Lodging establishments are places of public accommodation, and simply are not allowed to be selective about who we provide accommodations to. We can not run a criminal background check, we do not check references, we do not look at credit history, we do not verify income. We have no way to limit risk the way traditional landlords do.

SB 5160 does not take into account the lodging industry's unique position under current eviction moratorium, and we therefore request to be removed from the bill.

Specifically, section 3 prevents lodging establishments from having a hotel guest removed for illegal activity. For a lodging business, this means more than just potential property damage, rather it puts our employees and other hotel guests at risk. We need to retain our ability to have guests removed for criminal or dangerous behavior.

Additionally, we are concerned about section 4, which outlines repayment plans and requires repayment plans to be based on individual, financial or other circumstances of the tenant. Lodging businesses do not have anyway of accessing this information from our hotel guests, and do not have the traditional landlord "tenant" relationship.

We are concerned SB 5160 does not adequately address the situation for individuals in need of housing who are currently residing in lodging establishments under protection from the eviction moratorium and that immediate priority should be spent transitioning this population into long term housing solutions. For example, the longer an individual stays in housing in a hotel, the deeper and deeper they fall into economic despair. With an average daily rate of \$100, these individuals are incurring costs that would be several times more than a standard rent payment. Allowing these situations to continue for 2 years following the end of the executive order means tens of thousands of dollars of debt is being assigned and no real solution is being offered. It will not benefit individuals in need of housing and it is causing significant financial harm to an industry that is least equipped to handle the added financial responsibility.

For these reasons, we request that lodging businesses are removed from the bill.

Thank you for your consideration.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Bergh

James

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I oppose this legislation. Open the state back up, let people go back to work, and allow the free market to function as it is designed. The reasons behind your actions do not make sense. I am a landlord and a member of our community. Enacting these laws does not assist the community it only damages the relationship and as people become more and more desperate the situation will only get worse. Perhaps even violent. Unless this is the real intention behind your proposal.

I would like you to present some compelling evidence that your actions are more beneficial than just a general statement of it helps some people.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

**Con
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The Superior Court Clerks offer the following concerns regarding Section 16: Under this language the UND cause of action cases would not be available in a public index, contrary to the Supreme Court opinion in Encarnacion (<https://www.courts.wa.gov/opinions/pdf/880361.pdf>) . Section 16 also provides for sealing by stipulation of the parties, contrary to state court general rule (GR) 15. Further, Section 16 assumes all UND cases where the respondent prevails shall be automatically and permanently sealed “ which is a constitutional challenge to justice being administered openly in this state.

Logistically, Section 16 assumes the courts track UND cases by the address in question and would be able to tailor access to specific case records based on this address. This is not a capability of the case management software. Property information is not captured in any searchable way. Also, it is not clear that the intention of the language meant to make access available to requestors who know the litigants’ name and former address would provide privacy protection to respondents. Credit and housing applications can require disclosure of the identifying information mentioned in Section 16 and enable people with power to grant loans or housing to applicants to access these cases. We doubt that this section will provide the assistance that it is probably intended to provide to prospective tenants who seek housing after being involved in an eviction action.

We oppose section 16 and ask that it be removed from this bill or dramatically changed to get it in compliance with state court rules, supreme court decisions and our Washington constitution.

We very much support section 11 of the bill which makes the superior court filing fee for these cases the same as every other civil case. Current law has this filing fee reduced for unlawful detainer cases which is an inappropriate differentiation for these cases.

With the exception of Section 16 we generally appreciate the intent of this legislation. If someone charged with drafting amendments would reach out to judges and clerks regarding the logistics of implementation we think that would help. Several sections of this bill overlap with existing conditions in complex and contradictory ways that will create unsolvable problems for us as we try to put these provisions into effect.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Cochran

Robert

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This bill 5160 has a few faults that could cause untold harm in unintended consequences. The addition of any "public health emergency" to Sec 2 Item 4 is too vague, such as a drug addiction or vape pen public health emergency would trigger landlords to be unable to end rental agreements perhaps forever as emergencies overlap.

This bill focuses on tenants, while putting the burden on landlords for the entire impact on others of Covid-19 pandemic, including the state interfering in private contracts. The legislature could stop all evictions by the courts, but it appears an overstep, an arrogation of powers not in the Constitution to insert the court as landlord to say what portion of a lease can or cannot be enforced. Two years for preventing non-renewal of tenancies is not temporary by any definition as well.

The legislature should focus on making the housing trust fund to run on steroids in this time of crisis. 43.185.050 allows rent subsidies, and allows mortgage subsidies, especially to prevent homelessness. This is an existing law, and should be put into overdrive to help tenants pay rent in a time of crisis.

Submitted Written Testimony
SB 5160 Landlord-tenant relations
Housing & Local Government
1/20/21 10:30 AM

Con
Black
Sara

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My name is Sara Black and I am writing in opposition of SB 5160. I attended the Zoom hearing on January 20th and signed up to testify. I work for a property management company in Olympia, where we provide over 600 units of mostly single family rental housing throughout Thurston and Pierce counties. Our property owners are small landlords, mostly owning one rental home and reliant on the rental income in order to continue providing that housing. I am also a young single mother with a special needs child and plan to own a rental property of my own within the next year. SB 5160 will cause me to abandon that plan, and it should be noted that many others in my shoes will do the same.

With no college education, I spent my early twenties working two low wage service industry jobs (working 70-80 hours per week) in order to pay my bills and hopefully save enough money to attend school without procuring an abundance of debt â€” the only path to success that I saw possible. In 2015 my brother in law suddenly passed away, leaving his autistic son, Vincent orphaned. Unsure of how I would raise a child with special needs and make ends meet, I quit one of my jobs and put my college plans on hold to care for Vincent, who Iâ€™ve since adopted. Later that year, I was blessed with an opportunity to interview for a property management company, after the owner of that company (who was a regular customer of mine) took note of my work ethic. Iâ€™ve now been with Olympia Rentals for over 5 years.

In the summer of 2019, at the age of 26 I put my life savings into a down payment on my first home â€” a small two bedroom on the Eastside of Olympia â€” with the express intent to purchase another home to move into when I am financially able, and to rent out my existing house. I am on track to purchasing another home within the next year, however the legislation proposed in this bill would force me abandon that plan. Much like many of the owners that I manage for, I would be unable to take the financial risk of moving tenants into the only rental home I would own, effectively rolling the dice on weather or not they will pay rent or acquire assistance if they are unable to, and to be left with no recourse if they do not. That will be one less house available in an already increasingly tight rental market here in Olympia. One less home that could be provided to a family that is unable to purchase their own due to limited funds, inadequate credit inability to provide continual maintenance, etc. How many other future landlords are being deterred into other investments due to the unintended consequences of this bill, that make it nearly impossible to take the risk of owning rental property?

But before we even feel the future repercussions of this bill as I mentioned above, our current inventory of rental housing will dramatically decrease, as those already invested realize that they too cannot carry the financial burden of a public health crisis, and will decide to sell their rental properties. This will be great for those looking to purchase, however it will hurt the very people that this bill is intended to protect by lowering rental inventory and thus resulting in higher rents. Those that stick it out will tighten their rental criteria and will no longer be able to give a second chance to those that need it the most, because this bill will have taken any tools that they once had to fall back on.

I agree that due to the COVID-19 pandemic there is a dire need for legislation that will keep residents in their homes and landlord able to provide those homes. SB 5160 as it is written today will not provide the adequate support for our communities. As it is written, a resident can refuse rent (for up to 2 years past the expiration of the current moratorium) and even refuse to communicate with their landlord regarding delinquent rent, without ever providing any documentation that theyâ€™ve been directly affected by the COVID-19 pandemic and with absolutely no path for the landlord short of selling their property. This is extremely concerning as it places the ultimate burden of a public health crisis on the backs of the small landlords. Rental assistance funding needs to be increased for those who need it, and residents need to be incentivized to communicate with their landlords â€” most of us actually want to help them succeed. I urge you to consider both the immediate and long term negative effects that this bill will have on the already scarce housing inventory.

Submitted Written Testimony

SB 5160 Landlord-tenant relations

Housing & Local Government

1/20/21 10:30 AM

Con

Jones

Jeremy

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WA

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I am co-owner of a medium sized portfolio in Seattle and Everett, 92 units total. We have been severely hampered by the eviction moratorium which has increased delinquencies and vacancies throughout the year. Many of these are "elective non-payers" meaning they are working but choose not to pay because they don't have to. Other tenants are breaking rules of the lease by smoking in the units, having unapproved roommates, or trying to sublet their units, and we can't do anything about it.

As owners of our properties, and fully responsible for all expenses including maintenance, utilities, property taxes, mortgage payments, we anxious to resume our right to manage our properties including sign tenants to new leases and raise rents in accordance with what market demands will support. This is how we keep up with rising expenses, reinvest into our properties, and build value as planned when we purchased the buildings.

Please keep in mind that landlords take on significant financial responsibility when purchasing a property and do so with the understanding that rights of proper management are part of ownership. By taking away the right to rent units on the open market, the government is stripping away cash and values from landlords who are committed to improving buildings and providing housing to residents. We always treat our tenants with fairness and respect and aim to retain tenants through mutual win-win lease agreements.

Sincere thanks for considering my submission,
Warmest Regards, Jeremy