

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 7 - 0 - 1

Yeas: Cameron, Conger, Matthews, Sheehan, Smith J., Holvey, Whisnant

Nays: 0

Exc.: Clem

Prepared By: Jan Nordlund, Administrator

Meeting Dates: 4/28

WHAT THE MEASURE DOES: Modifies statutory provisions regulating the negotiation of rental agreements and disclosure of rent and fees. Modifies provisions related to retaliatory actions by landlords. Increases threshold from \$500 to \$1,000 by which landlord may choose to destroy or dispose of abandoned personal property. Clarifies tenant's rights to apply security deposit or prepaid rent toward rent owed when landlord's property is in foreclosure. Allows landlord to require tenant to restore security deposit or prepaid rent within two months when property is no longer in foreclosure. Releases immediate family from rental agreement if tenant is a victim of domestic violence, sexual assault, or stalking. Applies to rental agreements entered into on or after the effective date.

ISSUES DISCUSSED:

- Landlord-Tenant Coalition negotiations

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Senate Bill 293-A makes several changes to statutes regulating rental agreements between landlords and tenants. With regard to applicant screening charges to cover the cost of obtaining information as part of the rental agreement process, the measure increases the amount an applicant may recover if the vacancy is filled prior to the screening taking place or if no screening is conducted; in such cases the applicant is eligible to recover twice the applicant screening charge paid plus \$150. The measure also requires that landlords charging deposits for securing rental agreements must provide a written statement outlining the amount of rent, fees, and deposits; failure to comply results in ability of the tenant to recover up to \$150, increased from \$100 under current law.

Senate Bill 293-A also revises statutes mandating the installation and maintenance of carbon monoxide detectors in rental units containing sources of carbon monoxide for consistency with Fire Marshal rules. This requirement was enacted with the passage of House Bill 3450 (2009).

Under current law, a landlord may not terminate or fail to renew a tenancy for the reason that the tenant is the victim of domestic violence, sexual assault, stalking, or because a violation of the rental agreement was an incident involving any of those crimes. Senate Bill 293-A expands the prohibition to prevent a landlord from serving notice of termination, bringing or threatening to bring an action for possession, increasing rent, or decreasing services.