

## **SB 970 STAFF MEASURE SUMMARY**

### **Senate Committee On Housing**

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**Prepared By:** C. Ross, LPRO Analyst

**Meeting Dates:** 3/25

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#### **WHAT THE MEASURE DOES:**

Prohibits all residential landlords from considering minor marijuana convictions, or possession of a medical marijuana card or status as a medical marijuana patient when evaluating rental applications.

Prohibits facility landlords (manufactured home park and marina landlords) from interfering with tenant's choice of real estate agent or licensed dealer to sell or lawfully sublet tenant's home.

Allows manufactured dwelling or floating home seller who is also a facility landlord to require purchaser to rent space in landlord's facility as a condition of sale.

Requires that tenant's be allowed to sublet their home while it is being marketed for sale, if the facility landlord also rents-out homes that are being marketed for sale.

Requires facility landlord to provide information about landlord/tenant rights in relation to the sale of a manufactured or floating home.

Decreases amount of time facility landlord has to accept or reject rental application from prospective buyer of home who wants to remain in same facility, from between seven to 10 days, to between five and seven days.

Increases potential civil penalty for specified violations, from \$200 to \$500, and from \$500 to \$1000.

Updates form and style of corresponding provisions and defines terms.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

Senate Bill 970 touches on a number of landlord/tenant issues, most of which concern manufactured home parks and marinas (defined and referred to as *facilities*).

When evaluating applicants, residential landlords are currently allowed to consider whether the applicant has committed certain crimes. Senate Bill 970 excludes prior convictions solely for recreational use or possession of marijuana and also prohibits landlords from considering an applicant's status as a medical marijuana patient.

Facility landlords (manufactured home park and marina landlords) are prohibited from requiring prospective tenants to purchase their home from a particular dealer, and likewise, dealers cannot require purchasers to rent space from a particular facility. Senate Bill 970 creates an exception to allow a manufactured dwelling or floating home dealer who is also a facility landlord to require prospective purchasers to rent space in the landlord's facility as a condition of sale.

Senate Bill 970 also: prohibits facility landlords from interfering with a tenant's choice of real estate agent or licensed dealer to facilitate the sale or lawful sublease of the tenant's home; requires that tenant's be allowed to sublet their home while it is being marketed for sale, if the facility landlord rents-out homes that are being marketed for sale; and requires facility landlords to provide applicants, tenants and prospective buyers with

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information regarding the rights and duties of landlords and tenants' when a manufactured or floating home is being sold.

When a prospective buyer of a manufactured or floating home wants to stay in the facility and become a tenant, depending on the circumstances, the facility landlord has between seven and 10 days to decide after receiving a completed rental application (unless they both agree to an extension). Senate Bill 970 reduces the decision time to between five and seven days.

Finally, current law provides for recovery of damages or a civil penalty, whichever is greater, in the following amounts for the following violations: \$200 for violations of statutes governing unreasonable rental conditions, nonpayment of facility space rent, the sale of a manufactured or floating home, and retaliatory conduct by a facility landlord; and \$500 for the third and any subsequent violations in a two-year period, of statutes governing the sale of a manufactured or floating home. Senate Bill 970 increases the penalty amounts to \$500 and \$1,000, respectively.