

## SB 1523 A STAFF MEASURE SUMMARY

### House Committee On Housing and Homelessness

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**Prepared By:** Iva Sokolovska, LPRO Analyst

**Meeting Dates:** 2/19, 2/24

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

The measure requires landlords who use a tenant portal to process rental applications or manage payments to provide non-electronic alternatives upon request and prohibits penalties when tenants attempt to apply for a tenancy or make payments using allowable non-electronic methods. The measure expands the types of electronic payment processing fees that may be passed through to tenants. It modifies the habitability requirements relating to tenant access to common areas and facilities. The measure takes effect on the 91st day following adjournment sine die.

*Fiscal impact: Has minimal fiscal impact*

*Revenue impact: No revenue impact*

*SENATE VOTE: Ayes, 22; Nays, 7*

#### Detailed Summary:

##### **Application Access and Processing**

Defines “tenant portal.” Requires landlords who use a tenant portal to accept rental applications, upon receiving a written request from a prospective applicant to:

- post a printable copy of the application on the landlord’s website; or
- provide a printed or printable copy by mail or electronic mail within seven days of .

Directs landlord to process all applications regardless of whether they are submitted through the tenant portal or by other means.

##### **Alternatives to Mandatory Portal and Electronic Payment Use**

Prohibits landlords from requiring use of a tenant portal, if an applicant or tenant makes a written request for an alternative method, as the sole means to:

- verify identification;
- review or sign addenda or other legal agreements; or
- submit documents related to the tenancy.

Allows landlords to use tenant portals for their own daily operations and processing. Directs landlords who fail to comply with the above requirements pay the tenant or prospective tenant an amount equal to any damages sustained, or \$100, whichever is greater.

Directs landlords to permit tenants to make payments by check or other commercially reasonable methods.

Prohibits a landlord from requiring payment only by electronic payment. Prohibits a landlord from charging late fees or terminating a tenancy based on nonpayment if the landlord refuses to accept a payment offered by the tenant through a method permitted under this measure.

##### **Fees Passed through to Tenants**

Expands types of fees landlord can pass through to include processing fees charged for payments made by:

- debit card,
- tenant portal, or

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- other electronic means.

Directs landlords to make records of the fees charged to the landlord and passed through to the tenant available to the tenant upon written request within a reasonable time.

### **Means of Access**

Requires residential landlords to offer an alternative method, such as an access code, fob, key card, or another physical key, other than software or other electronic devices to access common areas and facilities.

### **ISSUES DISCUSSED:**

- Alternatives to smartphone apps for access to facilities and common areas
- Technological barriers for certain populations in accessing rent applications and tenancy-related payments
- Stakeholder involvement process in measure requirements development

### **EFFECT OF AMENDMENT:**

No amendment.

### **BACKGROUND:**

The legislature first regulated electronic payment fees charged by a landlord to a tenant in the 2013 legislative session with the passage of Senate Bill 91, which allowed a landlord to pass on processing fees charged by a credit card company for use of payment by card, provided the landlord allowed a tenant the alternative to pay by cash or check. Senate Bill 1523 A (2026) would update this language to include fees charged through any electronic payment processing and add a provision requiring landlords to be prepared to provide records of those fees upon request. Senate Bill 3378 (2025) required a landlord to provide an alternative method of accessing the dwelling unit other than software on a tenant-owned phone, but it did not extend this requirement to non-dwelling parts of the tenancy.