

SB 1523 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Pham

Action Date: 02/10/26
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 5-0-0-0
Yeas: 5 - Anderson, Jama, Nash, Patterson, Pham
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
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Meeting Dates: 2/3, 2/10

WHAT THE MEASURE DOES:

The measure requires landlords to provide tenants and prospective tenants with an alternative to electronic means of conducting business, including when submitting applications and paying rent. The measure requires that residential landlords offer an alternative to software on tenant-owned phones or other electronic devices for accessing common areas or common facilities. The measure applies requirements governing tenant portals and payment to all rental agreements, regardless of when the agreement was entered into. The measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

Non-Electronic Business Related to a Tenancy (Sections 2–4)

Defines “tenant portal.”

Requires a landlord to provide prospective tenants with a non-electronic means of applying for a residential tenancy, either by posting a printable copy of the application on their website or by providing a prospective tenant with a copy (either printed or printable via email) within seven days of receiving a written request. Requires the landlord to process all applications regardless of the mode in which they were received. Prohibits a landlord from requiring a tenant or prospective tenant to use a tenant portal if another means is requested by the tenant for verifying identification, reviewing and signing addenda or other legal agreements, or submitting documents related to the tenancy.

Requires that a landlord who fails to comply with the above requirements pay the tenant or prospective tenant an amount equal to any damages sustained, or \$100, whichever is greater.

Requires a landlord to allow a tenant to make payments by check or other commercially reasonable method and 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 a non-electronic means of payment is not available to the tenant.

Processing Fees (Section 5)

Allows a landlord to pass on fees charged by a third-party electronic tenant portal to the tenant who opts to use the portal for payment, provided that the payment processing company allows the fees to be passed on, the landlord allows the tenant an alternate means of payment, and the landlord can verify and provide, upon request, records of these fees.

Non-Electronic Means of Access to Common Spaces (Section 6)

Requires residential landlords to offer an alternative method—such as an access code, fob, key card, or another physical key—other than software on tenant-owned phones or other electronic devices to access common areas

This summary has not been adopted or officially endorsed by action of the committee.

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or common facilities of a tenancy. Makes this a requirement of habitability.

ISSUES DISCUSSED:

- Current law regulating the allowable methods of application for tenancy and the means of rental payment
- Smartphone and computer access across populations
- Existing laws governing reasonable disability accommodations

EFFECT OF AMENDMENT:

The amendment extends the period during which a landlord must provide a non-portal application and clarifies that a landlord must process applications received outside the portal. It expands, relative to the base bill, the allowable activities a landlord can require a tenant to perform within the tenant portal.

Detailed Summary:

- Gives landlords seven days, instead of three days, to provide a printed or a printable copy of a rental application to a tenant after receipt of a written request
- Clarifies that landlords must process all completed applications, regardless of the means by which they were received
- Narrows the scope of tenant activities that a landlord *cannot* require a tenant complete *only* through a portal, if the tenant requests an alternative, to include only verifying identity, reviewing and signing addenda or other legal agreements, and submitting documents relating to the tenancy
- Clarifies that the measure does not limit how a landlord can use a portal for their own daily operations and processing

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.