

August 8, 2019

MEMORANDUM

To: Members of the Civil Rights, Utilities, Economic Development & Arts Committee
From: Asha Venkataraman, Analyst
Subject: Council Bill 119606: Allowing tenants to live with immediate family and roommates

On August 13, 2019, the Committee on Civil Rights, Utilities, Economic Development & Arts (CRUEDA) will discuss Council Bill (CB) 119606, which would address a tenant's ability to live with their family members and/or roommates. Under current law, a landlord is not obligated to allow a tenant to live with their family or household members or with roommates with whom the cost of rent can be split. CB 119606 would require that landlords allow for these living arrangements.

This memorandum: (1) provides background on the legislation; (2) describes the proposal; and (3) outlines next steps.

Background

In 2018, the Housing Justice Project of the King County Bar Association (HJP) and the Seattle Women's Commission (SWC) researched court documents associated with eviction proceedings (known as unlawful detainers) in King County in 2017. Their findings are contained in the ["Losing Home: The Human Cost of Eviction in Seattle"](#). One of the issues identified in the report and described in the resolution is the challenge tenants face affording rent when a lease or a landlord (1) restricts the number of people allowed to live in a unit; or (2) imposes additional fees or conditions to add a roommate. These restrictions limit a tenant's ability to live with immediate family or roommates who could help with rent.

Central Staff presented the following three potential actions the Council could take to resolve this issue in a [March 21, 2019 memo](#) to the Committee:

- (1) Require that the rental agreement provide the tenant a right to live with immediate family members and up to one additional occupant, subject to maximum occupancy limits.
- (2) Require that if a tenant would like to add a roommate to the rental agreement, the landlord may not subject the roommate to screening criteria stricter than the screening criteria required for the primary tenant and cannot impose additional fees, except fees associated with conducting the screening.
- (3) Prohibit the landlord from unreasonably rejecting a request for a roommate.

Several of the actions are reflected in CB 119606, discussed below.

CB 119606

The proposed legislation would require any rental agreement to allow occupancy by:

- (1) A tenant;
- (2) A tenant's family or household members;
- (3) One additional person who is not a tenant's family or household member; and
- (4) The additional person's family and household members.

The number of people allowed in the unit is limited by the occupancy limits established by local, state, or federal law.

The proposal defines the term "family or household" members to include spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons 16 years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons 16 years of age or older with whom a person 16 years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

In addition, the proposal would restrict a landlord from changing the lease to limit the number of tenants allowed in the unit after some but not all roommates vacate. This provision means that if multiple tenants share a unit, and one tenant moves out, the landlord must allow the remaining tenants to bring in another roommate. For example, if three people rent an apartment together and each of the three individuals can only afford the rent if it is split three ways, and one of the three moves out, the remaining tenants would be unable to afford the rent and remain in that unit if they are restricted from bringing in a new third roommate. The proposal also prohibits landlords from imposing any new conditions when a family or household member or roommate is added to the household (e.g. using stricter screening criteria for the additional persons than the landlord used for the tenant).

Lastly, the proposal would exempt federally assisted housing units from these provisions if the housing is subject to regulations that require a landlord to deny tenancy when a member of the household is subject to a lifetime sex offender registration requirement or convicted of manufacturing or producing methamphetamines on the premises of federally assisted housing.

Next Steps

CB 119606 is scheduled for further discussion, consideration of any amendments, and possible vote at the September 10, 2019 meeting of the CRUEDA Committee.

cc: Kirstan Arestad, Exec Director
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