

### Local Source of Income Laws

Housing Choice Voucher (including HUD-VASH) Only

- City of Bellevue
- City of Redmond
- City of Kirkland
- City of Renton
- City of Tumwater

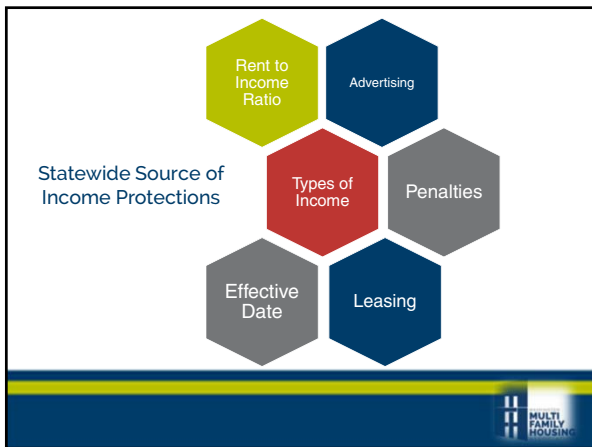
Any Federal, State or local Government subsidy

- City of Olympia

### Local Source of Income Laws

Any Source of Income including all Federal, State and local, private and nonprofit subsidies, and all sources of unearned income

- City of Auburn
- City of Bellingham
- City of Kent
- City of Seattle
- City of Spokane
- City of Tukwila
- Unincorporated King County\*



### Types of Income

- What are types of income?
- What are types of subsidies?

Types of  
Income

### Benefits or subsidies provided by Federal, State, local, or non-profit entity

- Housing assistance
  - Section 8, HEN, Rapid Rehousing Funds
- Public assistance
- Emergency rental assistance
- Veteran's Benefit
- Social Security
- Supplemental Security Income
- Other retirement programs

Advertising

### The law prohibits advertising any preference, limitation or requirement based on use of income.

Leasing

### Regardless of income source, each applicant must be given the opportunity to apply.

What do you do as a leasing professional?

- Treat the individual the same as any other applicant
- Provide them with your screening criteria
- Offer them the opportunity to apply if they believe they're credit and rental history meet your screening qualifications
- Do not pre-qualify any applicants

Leasing

### Can the prospect afford an available rental in the community?

Leasing

### Can the prospect afford an available rental in the community?

Family Name: LAST NAME, FIRST NAME Date: 5/1/2017 Assigned Bedroom Size: 2

Based on your current income, the chart below provides you with the estimated rent amounts a landlord may charge under the Section 8 program. If you find a unit renting at or under the estimated rent amounts shaded in gray below, your portion will be 25% of your adjusted monthly income. If you find a unit that rents for higher than the amounts listed in the shaded area, you will pay more than 25% of your adjusted monthly income. The estimated maximum rent line provides you with rent amounts at 40% of your gross monthly income. You may still exceed this amount.

The exact amount of the subsidy will be calculated after complete verification of all family composition and income, and after the unit has been approved for the Section 8 program. No additional side payments may be made to the landlord.

	Multi Family Unit (multiple, duplex, apartment)		Single House	
	if the Landlord pays 80% of rent	if the Landlord pays 70% of rent	if the Landlord pays 80% of rent	if the Landlord pays 70% of rent
<b>For units in Tier 1*</b>				
Estimated Rent Amount (based on 25% of adjusted income)	\$1,546	\$1,237	\$1,080	\$1,170
Estimated Maximum Rent Amount (based on 40% of gross income)	\$1,555	\$1,636	\$1,450	\$1,579
<b>For units in Tier 2*</b>				
Estimated Rent Amount (based on 25% of adjusted income)	\$1,306	\$1,387	\$1,240	\$1,330
Estimated Maximum Rent Amount (based on 40% of gross income)	\$1,715	\$1,796	\$1,650	\$1,739
<b>For units in Tier 3*</b>				
Estimated Rent Amount (based on 25% of adjusted income)	\$1,276	\$1,457	\$1,219	\$1,400
Estimated Maximum Rent Amount (based on 40% of gross income)	\$1,785	\$1,866	\$1,720	\$1,809
<b>For units in Tier 4*</b>				
Estimated Rent Amount (based on 25% of adjusted income)	\$1,586	\$1,667	\$1,520	\$1,610
Estimated Maximum Rent Amount (based on 40% of gross income)	\$1,995	\$2,076	\$1,930	\$2,019
<b>For units in Tier 5*</b>				
Estimated Rent Amount (based on 25% of adjusted income)	\$1,886	\$1,967	\$1,820	\$1,910
Estimated Maximum Rent Amount (based on 40% of gross income)	\$2,295	\$2,376	\$2,230	\$2,319

Leasing


- Applicant completes application and provides *Request for Tenancy Approval*
- Leasing office completes screening
- Offer tenancy
- Prepare tenancy packet
  - Request for Tenancy Approval
  - Household Member List
  - Lead Based Paint Disclosure
- Schedule inspection
- Sign Lease and HAP Addendum

### Leasing


If the inspection fails...

- Determine what failed in the inspection?
- Determine how much it will cost to repair? Obtain a written estimate of the cost to repair.
  - The **written estimate** may be completed from maintenance professional working on-site, or an outside professional.
  - If the cost of repairs is **less than \$1,500** the housing provider must make the repairs.
  - If the cost of repairs is **greater than \$1,500**, **and** the housing provider has not received funds from the Landlord Mitigation Program, tenancy can be denied.

The law does not specify any time period to make the repairs.




## What does a voucher look like?



### Rent to Income Ratio

When calculating whether an applicant has sufficient income, subtract all subsidies and vouchers prior to determining income.

**Rule of Thumb:** Consider whether the subsidy or voucher is paid directly to you by the subsidy provider, and whether there are restrictions on the use of funds by the applicant.




### Penalties


There are no administrative penalties under the State law.

An applicant may file a civil action, and if found to have violated the law, receive up to 4 and one-half times the monthly rent, including court costs and reasonable attorneys' fees.

**\*\*Note:** Local laws may be enforced administratively.



### Washington State Source of Income Protections



The following jurisdictions have made refusal to consider an applicant based solely on their source of income illegal (all jurisdictions are hyperlinked to local codes):

- ★ **Any source of income, including all Federal, State and local, private and nonprofit subsidies, and all sources of unearned income:**
  - City of Bellevue
  - City of Spokane
  - Unincorporated King County
  - City of Everett
  - City of Kirkland
  - City of Redmond
  - City of Seattle
  - City of Bellevue
  - City of Tukwila
  - City of Issaquah\*\*
  - City of Kent
  - City of Auburn
- **Any Federal, State, or local subsidy:**
  - City of Olympia
- ▲ **Housing Choice Voucher (including HUD VASH) only:**
  - City of Bellevue
  - City of Kirkland
  - City of Redmond
  - City of Renton\*\*
  - City of Tumwater


**Washington State Def:**

\*Source of Income includes benefits or subsidy programs including housing assistance, public assistance, emergency rental assistance, veterans benefits, social security, supplemental security income or other retirement programs, and other programs administered by any federal, state, local, or nonprofit entity. \*Source of Income does not include income derived in an illegal manner.

APR 12, 2018

### Effective Date

September 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	Notes:-					





### Landlord Mitigation Program

1. Reimbursement of up to \$1,000 for repairs & improvements
2. Reimbursement of up to 14 days lost rental income
3. Reimbursement of up to \$5,000 in damages,
4. Reimbursement for unpaid rent & unpaid utility costs

### Landlord Mitigation Program

1. Reimbursement of up to \$1,000 for improvements
2. Reimbursement of up to 14 days lost rental income
3. Reimbursement of up to \$5,000 in damages,
4. Reimbursement for unpaid rent & unpaid utility costs

1. Housing provider is responsible for the first \$500 in improvements and may seek up to \$1,000 in reimbursement
2. Housing provider must rent to the tenant whose subsidy program conditioned rental on passing inspection

### Landlord Mitigation Program

1. Reimbursement of up to \$1,000 for improvements
2. Reimbursement of up to 14 days lost rental income
3. Reimbursement of up to \$5,000 in damages, unpaid rent & unpaid utility costs
4. Reimbursement for unpaid rent & unpaid utility costs

1. Housing provider must offer the available unit to the "low income tenant" and the tenant must move into the available unit after passing inspection.
2. Up to 14 days from date of offer to date of move-in by the applicant/tenant

\*\*\*If the inspection has not occurred within 10 days of collection of a deposit or fee, the housing provider may move on from the this tenant.

### Landlord Mitigation Program

*To be eligible:*

1. Rental property must have been inspected at the commencement of the tenancy,
  1. Completed move-in inspection report prepared and signed by both housing provider and tenant
2. Make repairs after tenancy and before subsequent tenant
3. Submit some or all of the following:
  1. Move-in inspection report
  2. Before & after photos or video
  3. Copies of repair receipts for labor and materials
  4. Other documentation and information

1. Reimbursement of up to \$1,000 for improvements
2. Reimbursement of up to 14 days lost rental income
3. Reimbursement of up to \$5,000 in damages, unpaid rent & unpaid utility costs
4. Reimbursement for unpaid rent & unpaid utility costs

### Landlord Mitigation Program

Reimbursement for unpaid rent and utilities must be evidenced to the Department's satisfaction

1. Reimbursement of up to \$1,000 for improvements
2. Reimbursement of up to 14 days lost rental income
3. Reimbursement of up to \$5,000 in damages, unpaid rent & unpaid utility costs
4. Reimbursement for unpaid rent & unpaid utility costs

If the housing provider obtains reimbursement from the Landlord Mitigation Program, other collection actions are prohibited

### Landlord Mitigation Program

**Current Definition**

"Private market" applies both to the question of subsidy (in the case of project-based subsidy) *and* to the question of contractual restrictions. Therefore, even if not receiving subsidy, units covered by the following are excluded from eligibility:

- Regulatory Agreement
- Covenant of Affordability
- Affordability Restriction


**New Definition**

"Private Market Rental Unit" is any unit available for rent that is owned by:

- An individual
- A corporation or limited liability company
- A nonprofit housing provider
- Other entity structured

*Does not include:*

- Housing acquired or constructed by a public housing agency



### Landlord Mitigation Program

**Current Definition:**

...the cost of damages that may be caused to private market rental units renting to housing choice voucher holders.

**New Definition**

"Housing Subsidy Program"

- Housing Choice Voucher Program
- Valid short- or long-term Federal, State or local government assistance programs
- Private and non-profit assistance programs

