

Source of Income Discrimination RCW 59.18.255

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Everyone should have the opportunity to live in a safe, healthy, and affordable home.

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Source of income discrimination

In 2018, the Washington legislature enacted a law prohibiting discrimination against prospective and current tenants on the basis of their source of income. RCW 59.18.255.



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SOID is a fair housing issue

Most people who use government assistance for housing are more likely to be:

- Families
- People with disabilities
- Racial minorities
- Veterans with disabilities

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SOID was already illegal

- Tax credit properties are required to participate in Section 8
- Many local ordinances prohibit source of income discrimination
- The Washington Law Against Discrimination and Federal Fair Housing Act bar treatment that disproportionately harms protected groups

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Voucher holders: Stereotype vs. Reality

Stereotype: Voucher holders present more risks than other tenants

Reality:

- Voucher holders are regularly screened
- There are mandatory terminations for certain issues, and lengthy bans after terminations
- Housing authority's rent portion is guaranteed

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Source of income: definition

Housing assistance (Section 8, HEN, etc.)

TANF or other public assistance, including emergency funds

Rapid re-housing

SNAP rental assistance

Veterans benefits

Social security

SSI or other retirement programs

Any funding administrated by any government or nonprofit

Does not include income from illegal activity

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Slide 6

CG2 Add "rapid re-housing"?
Carrie Graf, 9/4/2020

Does the law apply to all landlords?

It applies to all landlords as defined by the state Residential Landlord Tenant Act (RLTA). It does not apply in situations such as:

- Farmworkers living in employer-provided housing
- People getting housing in exchange for work
- People living in hotels or motels

See RCW 59.18.040 for the full list.

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Source of income: prohibited activities

1. Refuse to rent to a tenant because of the source of their income
2. End a tenant's lease or evict them just because they begin receiving benefits
3. May not charge a tenant more rent than someone who does not get benefits.
4. Tell a tenant the unit is not available when it is.
5. Advertise a property for rent only for tenants with certain types of income
6. Treat tenants differently than any other tenant who do not get benefits, just because a tenant is now getting benefits
7. Otherwise make unavailable or deny a unit to a tenant, but for their source of income, they would be eligible to rent the unit

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Source of income: exception

1. When the source of income requires the property pass an inspection;
2. The costs of improvement that are necessary to pass inspection are more than \$1500; and
3. The landlord has not accepted funding from the Mitigation program to make the improvements.

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[CL, tri-cities, WA > housing > apts/housing for rent](#)

Contact Information:

\$1250 / 3br - 1840ft² - Large 3 bedroom + den 2 bath in fourplex (Pasco)

Image 18 of 18



This is an 1840 Square foot unit
With new hvac system.

Two extra rooms that cannot be used for sleeping because they don't have windows.

Please no pets
First months rent and deposit of 700.
35. App

Water, sewer, garbage, electrical, gas, and laundry provided for an additional 250. A month.

Washer and dryer stay in the unit.

Good rental history required.
No CAC or section 8

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Rent Calculation RCW 59.18.255 (3)

May a Landlord require that an applicant have an income of two or three times the rental amount?

How to calculate → The subsidy must first be subtracted from the total rent.

Example: Rent is \$1,000 a month. Applicant has a section 8 voucher that pays \$700 of the total rent. Landlord requires all tenants to have a monthly income of 3x times the rent. Landlord must subtract the voucher amount from the total rent before calculating if the applicant's income is enough.

- → $\$1,000 - \$700 = \$300$. So, applicant must have \$900 a month in income to qualify (not \$3,000).

Example: Rent is \$1,000 a month. Applicant has HEN that pays entire rent. Landlord requires all tenants to have a monthly income of 3x the rent. Landlord must subtract the voucher amount from the total rent before calculating if the applicant's income is enough.

- → $\$1,000 - \$1,000 = \$0$. So, applicant cannot be required to have any income.

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Source of income: enforcement

Tenant may sue for penalty of 4.5 times the rent, attorney fees, and costs.

Northwest Justice Project recently filed suit against five landlords across Washington State for Source of Income Discrimination, and has settled numerous other cases, resulting in monetary damages and enforceable court orders.

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Questions?

