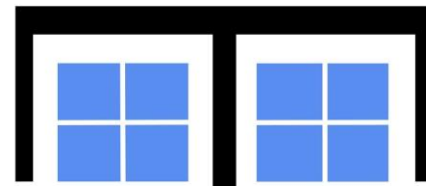


DEALING WITH BAD LANDLORDS

TENANT LAW CENTER

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WHAT WE WILL COVER

- What is a “bad” landlord?
- What types of “bad” landlords are there?
- What are some common issues and how can I help my client?
- Resources
- Questions

WHAT IS A “BAD” LANDLORD?



- A landlord who is does not following the law related to their tenants' rights
 - A bad landlord isn't necessarily a bad person!

WHAT TYPES OF “BAD” LANDLORDS ARE THERE?

- Aggressive/improper communication
- Making things up as they go along
 - Ignorant of the law
 - Just don't know
 - Just don't want to know
 - Questionable DIY repairs
 - Bad notices
- Not interested in fulfilling legal obligations
 - No repairs





COMMON PROBLEMS

EXPECTATIONS WHEN MOVING IN AND SIGNING A CONTRACT

COMMUNICATIONS THAT DO NOT TRACK THE RLTA/WSLAD

TELLING TENANTS THEY *MUST* DO SOMETHING, WHEN THE LAW DOES NOT REQUIRE THAT OF A TENANT

EXPECTATIONS AT THE END OF THE TENANCY

THREATS

DEMANDS THE TENANT “TURN” THE APARTMENT FOR THE NEXT TENANT

REFUSAL TO FOLLOW THE LAW RE DEPOSITS



LANDLORD IS DISCRIMINATING AGAINST YOUR CLIENT

Washington

- WSLAD RCW 49.60 prohibits discrimination in any part of a real estate transaction.
- Local laws: SMC has additional categories of persons who may not be discriminated against.

Federal

- The ADA requires housing providers to not discriminate on the basis of categories such as race, gender, handicap, disability, etc.

LANDLORD REFUSES ACCOMMODATION/MODIFICATION REQUEST

Washington

- Take the complaint to Fair Housing Center of WA or the Washington Human Rights Commission or a local Office of Civil Rights.

Federal

- Fair Housing is national

LANDLORD REFUSES TO ACCEPT HOUSING SUBSIDY

Washington

- Washington flatly prohibits Source of Income Discrimination.

Federal

- Federal law does not prohibit discrimination on the basis of the source of income
- Other states' rules may vary

LANDLORD WON'T REPAIR ANYTHING/DIY REPAIRS

- Tenant must advise the landlord in writing of the need for repairs. RCW.59.18.070. The landlord has no right of entry absent notice from the tenant. Once the tenant has requested repairs, there are timelines depending on the problem.
- If the landlord is doing his own electrical repairs, or structural, or the problem is life/safety, once the tenant can demonstrate that the landlord has knowledge of the issue, the tenant can (and should) contact the Building Department or Code Enforcement for their jurisdiction. RCW 59.18.115

LANDLORD PROVIDED IMPROPER EVICTION NOTICE

- In order for a tenant to be in the state of “unlawful detainer”, a landlord must provide a proper predicate notice. The notice must track RCW 59.12.030 (which describes the different types of predicate notices). State law provides a notice form for non-payment of rent. If this is not used, or the landlord makes up their own notice, the case is very likely to be dismissed at show cause (the eviction hearing).

LANDLORD PROVIDED IMPROPER NOTICE OF RENT INCREASE

In Washington, the State rules provide a minimum of sixty days for a notice of a rent increase. That sixty days must be provided before rent is due. In other words, a landlord can't issue a sixty day notice of rent increase on the 19th, that goes into effect sixty days later; it can only take effect at the beginning of the following month.

Some cities and some counties have extended notice periods for rent increases. For example, in unincorporated King County, a rent increase notice of more than 3% requires 120 day's notice, and a rent increase of more than 5% requires 180 days advance notice. Some cities within King County have similar extended notice periods for rent increases.

LANDLORD ACTING INAPPROPRIATELY TOWARDS CLIENT

- This relationship is contractual and governed by law. Tenants should try to maintain boundaries. If the landlord fails or refuses to honor those boundaries, the tenant has recourse. See RCW 59.18.575. If a tenant is apprehensive for their personal safety, the tenant should consider contacting law enforcement.
- Housing providers of all types can use bluster, lies, flattery, intimidation and more to get what they want. In a domestic situation, this is called “coercive control”. Tenants should remember not to take their landlord’s statements as accurate or representative of the actual law.

RESOURCES FOR WASHINGTON

- Fair Housing Center: <https://fhcWASHINGTON.org/>
- Washington Human Rights Commission: <https://www.hum.wa.gov/>
- Disability Rights Washington: <https://disabilityrightswa.org/grievance-procedure/>
- Washington State Dept. of Social and Health Services, Development Disabilities Administration: <https://www.dshs.wa.gov/dda/counties-and-providers/developmental-disabilities-administration-counties-provider-information>

NON-WASHINGTON RESOURCES

<u>Idaho</u>		
<u>Idaho Legal Aid Services, Inc.</u>	(208) 746-7541	General legal advice line
<u>Intermountain Fair Housing Council</u>	1-208-383-0695	fair housing referrals and assistance
<u>Jesse Tree</u>	208-383-9486	Eviction prevention in Treasure Valley
<u>Our Path Home</u>	(208)336-4663	Housing Crisis Hotline
<u>Catch Idaho</u>	Ada County: (208)336-4663; Canyon County: (208)495-5688	Housing Crisis Hotline
<u>Oregon</u>		
<u>Fair Housing Council of Oregon</u>	(503)223-8197	Housing discrimination help
<u>Disability Rights Oregon</u>	(503) 243-2081	legal advice for people with disabilities
<u>211</u>	211	Rental payment help
<u>Eviction Diversion and Prevention Program</u>	Find county hotline here	Eviction prevention
<u>Alaska</u>		
<u>Alaska Legal Services Corporation</u>	1-855-743-1001	Landlord tenant dispute and eviction hotline
<u>Alaska Pro Bono Program</u>	(907)272-9431	General legal advice line



QUESTIONS

