
SENATE BILL 5661

State of Washington

69th Legislature

2025 Regular Session

By Senators Goehner and Gildon

1 AN ACT Relating to creating consistency in housing; amending RCW
2 35.21.830 and 36.01.130; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the residential
5 landlord-tenant act was enacted in 1973 and occupies the field. The
6 act has undergone substantial modification since that time and many
7 cities and at least one county have enacted local modifications
8 affecting the relationship between the landlord and the tenant. These
9 local regulations directly conflict with the act.

10 In Seattle and Kent, landlords must provide an uncurable notice
11 to vacate because of criminal activity resulting in an arrest in the
12 city prior to serving the notice, despite the act not requiring such
13 an extra step. Seattle, King County, Federal Way, Auburn, and Tacoma
14 maintain distinct provisions to terminate a residential tenancy.
15 These provisions directly conflict with the act.

16 In King County, all notices must be sent at least 30 days,
17 directly conflicting with the act and substantially endangering
18 tenants forced to withstand behavior often criminal in nature, which
19 may be ameliorated in a much shorter time if the tenant rented just
20 three miles away.

1 Local regulations also act to discourage investment in and
2 decrease the supply of rental housing. In 2022, the Seattle
3 department of construction and inspection reported a decrease in
4 rental housing units after numerous regulations were enacted that
5 severely restricted the reasonable business practices of landlords to
6 the detriment of tenants. According to a lawsuit filed by a landlord
7 in Seattle, Seattle's landlord-tenant restrictions have caused a low-
8 income multifamily residential property to default on its mortgage,
9 remain largely vacant and unrentable.

10 The state has a strong interest in maintaining a strong
11 residential rental housing market across all jurisdictions because
12 Washington needs to build at least 1,100,000 new homes, affordable to
13 all income levels, over the next 20 years to meet the market demand.
14 Rental housing is a critical part of meeting this need and an
15 important part in the housing ladder.

16 Overlapping regulations confuse landlords and tenants, and courts
17 struggle to apply laws consistently when there are multiple layers of
18 laws, some conflicting with the act, and cause landlords to disinvest
19 and leave the rental housing market. The Washington court of appeals
20 determined the act and an ordinance on the same subject when the
21 state occupies the field leaves no room for concurrent jurisdiction.
22 The legislature finds there is no room for concurrent jurisdiction.

23 A coordinated regulatory scheme regulated only by the act is in
24 the best interest of landlords and tenants. However, attempting to
25 manage rental properties over multiple jurisdictions becomes
26 challenging when there are many different regulations. The
27 legislature intends to create consistency across the state.

28 **Sec. 2.** RCW 35.21.830 and 1981 c 75 s 1 are each amended to read
29 as follows:

30 (1) The imposition of controls on rent is of statewide
31 significance and is preempted by the state. No city or town of any
32 class may enact, maintain, or enforce ordinances or other provisions
33 which regulate the amount of rent to be charged for single-family or
34 multiple-unit residential rental structures or sites other than
35 properties in public ownership, under public management, or
36 properties providing low-income rental housing under joint public-
37 private agreements for the financing or provision of such low-income
38 rental housing. This section shall not be construed as prohibiting
39 any city or town from entering into agreements with private persons

1 which regulate or control the amount of rent to be charged for rental
2 properties.

3 (2) The imposition of regulations on the landlord-tenant
4 relationship is of statewide significance and is preempted by the
5 state. No city or town of any class may enact, maintain, or enforce
6 ordinances or other provisions which regulate any agreement between a
7 landlord and tenant and entered into under chapters 59.18 and 59.20
8 RCW for single-family or multiple-unit residential rental structures
9 or sites other than in public ownership, under public management, or
10 property providing low-income rental housing under joint public-
11 private agreements for financing or provision of such low-income
12 rental housing. This section shall not be construed as prohibiting
13 any city or town from entering into agreements with private persons
14 that regulate or control the amount of rent to be charged for rental
15 properties.

16 **Sec. 3.** RCW 36.01.130 and 1991 c 363 s 43 are each amended to
17 read as follows:

18 (1) The imposition of controls on rent is of statewide
19 significance and is preempted by the state. No county may enact,
20 maintain or enforce ordinances or other provisions which regulate the
21 amount of rent to be charged for single-family or multiple-unit
22 residential rental structures or sites other than properties in
23 public ownership, under public management, or properties providing
24 low-income rental housing under joint public-private agreements for
25 the financing or provision of such low-income rental housing. This
26 section shall not be construed as prohibiting any county from
27 entering into agreements with private persons which regulate or
28 control the amount of rent to be charged for rental properties.

29 (2) The imposition of regulations on the landlord-tenant
30 relationship is of statewide significance and is preempted by the
31 state. No county may enact, maintain, or enforce ordinances or other
32 provisions which regulate any agreement between a landlord and tenant
33 and entered into under chapters 59.18 and 59.20 RCW for single-family
34 or multiple-unit residential rental structures or sites other than in
35 public ownership, under public management, or property providing low-
36 income rental housing under joint public-private agreements for
37 financing or provision of such low-income rental housing. This
38 section shall not be construed as prohibiting any county from

1 entering into agreements with private persons that regulate or
2 control the amount of rent to be charged for rental properties.

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