

SB 1069 -1 STAFF MEASURE SUMMARY

Senate Committee On Housing and Development

Prepared By: Kevin Rancik, LPRO Analyst

Meeting Dates: 3/8, 4/3

WHAT THE MEASURE DOES:

Allows electronic delivery of written notice to landlord or tenant, provided rental agreement specifies electronic addresses or locations for delivery. Allows electronic return of security deposit or prepaid rent upon termination of tenancy. Allows refund of rent via electronic means. Allows notice of disposal, sale, or storage of tenant’s personal property following end of tenancy to be delivered electronically.

FISCAL: No fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Voluntary nature and timing of opt-in to electronic notice
- Verifying delivery of electronic notice
- Start time of countdowns initiated by electronic delivery
- Availability of opt-in option in different languages
- Whether some notices should be duplicated physically

EFFECT OF AMENDMENT:

-1 Provides for electronic delivery of landlord and tenant notices only if allowed under written addendum to rental agreement which specifies electronic mail addresses each party agrees to send and receive electronic mail to and from. Provides language addendum must substantially adhere to, including that addendum is voluntary. Requires that in order to receive security deposit or prepaid rent electronically, tenant must request this after tenancy begins. Removes provisions of Act allowing electronic notice of disposal, sale, or storage of tenant’s personal property following end of tenancy.

BACKGROUND:

Current statutes regarding landlord and tenant communication require written notices to be provided by mail or through in-person means. Notices, such as those regarding evictions or changes to rental agreements, and subsequent actions of either the landlord or tenant, must be provided and take place within specific time frames. Mail delivery can add a few days to the time it takes for communication to arrive, reducing the amount of time the recipient has to take action.

Senate Bill 1069 allows electronic delivery of landlord and tenant notices, including notice of disposal, sale, or storage of tenant’s personal property, and electronic refunds and returns of security deposits and rent.