

SB 1069 B STAFF MEASURE SUMMARY
House Committee On Housing and Homelessness

Carrier: Rep. Helfrich

Action Date: 05/11/23

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 10-0-1-0

Yeas: 10 - Boice, Cate, Dexter, Gamba, Hartman, Helfrich, Helm, Javadi, Levy E, Wright

Exc: 1 - Fahey

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/27, 5/11

WHAT THE MEASURE DOES:

Allows residential landlord and tenant to agree to the provision of written notices through electronic mail, if allowed by and as specified under a written addendum to rental agreement that is executed by both parties after a tenancy begins and the tenant has occupied the premises. Provides language to which addendum must substantially adhere, including that electing to receive notice by email is voluntary. Specifies a party to a rental agreement may only use electronic mail notifying termination of tenancy if allowed by addendum and if termination notice is sent by both first class mail and electronic mail. Clarifies termination notice delivery methods required for notice periods specified in hours. Allows electronic return of security deposit or prepaid rent upon termination of tenancy, upon written request of tenant after tenancy began.

ISSUES DISCUSSED:

- Option for tenant and landlord to communicate on notices electronically after tenancy begins
- Notices for termination of tenancy may not be sent solely through email, but also through first class mail

EFFECT OF AMENDMENT:

Clarifies that written addendum allowing the use of electronic mail for written notices to the landlord or the tenant must be executed by both parties after the tenancy begins and the tenant has occupied the premises. Specifies a party to a rental agreement may only use electronic mail notifying termination of tenancy if allowed by addendum and if termination notice is sent by both first class mail and electronic mail. Clarifies termination notice delivery methods required for notice periods specified in hours.

BACKGROUND:

Current residential landlord and tenant law requires that written notices between a landlord and tenant be provided by mail or through in-person means. Notices, such as those regarding eviction or changes to a rental agreement, 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, ultimately reducing the amount of time the recipient has to respond or take action.

Senate Bill 1069 B allows electronic delivery of landlord and tenant notices, if both parties agree under a rental agreement addendum. The measure allows electronic return of a security deposit or prepaid rent upon a tenant's request after the tenancy begins.