
SUBSTITUTE SENATE BILL 5907

State of Washington

66th Legislature

2019 Regular Session

By Senate Housing Stability & Affordability (originally sponsored by Senators Kuderer, Das, and Nguyen)

1 AN ACT Relating to a comparative study of the impact of attorney
2 representation for tenants in unlawful detainer proceedings; creating
3 a new section; making appropriations; providing an effective date;
4 and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) From July 1, 2019, until December 31,
7 2020, the office of civil legal aid must conduct a comparative study
8 of the impact of attorney representation for tenants in unlawful
9 detainer proceedings. The office of civil legal aid must contract
10 with a Washington state-based research institution to study
11 differences in outcomes in residential landlord-tenant unlawful
12 detainer cases as described in this section.

13 (2) The office of civil legal aid, in collaboration with the
14 contracted research institution, shall work with the superior courts
15 in counties with a total population between five hundred thousand and
16 eight hundred fifty thousand to secure the appointment of and payment
17 for attorney representation and track relevant data and outcomes in
18 seven hundred fifty residential unlawful detainer cases in each
19 county during the study period. The office of civil legal aid, in
20 collaboration with the contracted research institution, shall work
21 with the superior courts in counties with a total population between

1 four hundred thousand and five hundred thousand and between eight
2 hundred fifty thousand and nine hundred thousand to track relevant
3 data and outcomes in seven hundred fifty residential unlawful
4 detainer cases in which no attorney appeared of record on behalf of
5 the tenant in each county during the study period.

6 (3) Study data must be disaggregated by gender, race, age, and
7 other relevant demographic characteristics. The research must track,
8 among other relevant data, the grounds claimed for eviction, the
9 amount of rent claimed unpaid in cases where nonpayment of rent is
10 the basis for the unlawful detainer action, whether the tenant
11 received a governmental rent subsidy, the amount of costs and fees
12 claimed due in the initial complaint, whether a writ of restitution
13 was issued, and the amount of any money judgment, award of costs and
14 fees, including attorneys' fees, entered in the case.

15 (4) The office of civil legal aid must contract with nonprofit
16 legal aid providers for legal representation in cases where attorneys
17 are appointed to represent defendants in unlawful detainer cases
18 involved in the study. The superior courts in each of the counties
19 are respectfully requested to work with the office of civil legal aid
20 and the research institution engaged in the study to (a) facilitate
21 the appointment of contracted attorneys in unlawful detainer cases
22 that will be included in the study and (b) establish systems to track
23 data required to be collected. The office of civil legal aid may
24 reimburse the participating counties for the actual costs of
25 establishing data collection and tracking systems and the appointment
26 of counsel in an amount not to exceed fifteen thousand dollars per
27 county during the study period.

28 (5) A preliminary report must be submitted to the appropriate
29 committees of the legislature by January 31, 2021, and a final report
30 on the study must be submitted to the appropriate committees of the
31 legislature by March 31, 2021.

32 NEW SECTION. **Sec. 2.** The sum of five hundred thousand dollars,
33 or as much thereof as may be necessary, is appropriated for the
34 fiscal year ending June 30, 2020, and the sum of four hundred
35 thousand, or as much thereof as may be necessary, is appropriated for
36 the fiscal year ending June 30, 2021, from the general fund to the
37 office of civil legal aid for the purposes of this act.

1 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect July 1, 2019.

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