

## 8 new game-changing laws for renters - AvvoStories

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# 8 new game-changing laws for renters

REAL ESTATE, MONEY

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Finding a good apartment in a hot real estate market has always been a challenge. But in some places, the demand for rental housing—inflated by millennials who can't afford to buy a house and baby boomers trading mortgages for rent receipts—is spiraling out of control, with one recent Harvard study calling it the highest it's been in 50 years.

With so many new renters from college-educated and/or privileged demographics, it should come as no surprise that the demand for rental housing is accompanied by a demand for legal protections. You might, however, be surprised at how aggressive some of the new laws are, creating friction between progressive urbanists trying to keep cities marginally affordable, and independent landlords who would prefer to have more control over who rents their properties, and for how

much.

Here are a slew of experiments currently underway across the nation, in both urban and rural environments, exploring the outskirts of [landlord-tenant law](#) while trying to give renters a leg up.

- **Taking away tenant screening**

Seattle has a long history of [housing discrimination](#), and the city's current rate of rent increases leads the nation, coming in at four times the national average. To protect tenants' rights, last August Seattle passed a "[first-come, first-served](#)" renter law – the first such law in the United States. Under the new law, landlords are required to offer units to qualified applicants in the order that they applied. The law came under immediate [attack](#): landlords opposed to the rule filed for an injunction. Unless the injunction is granted, enforcement will begin in July.

Less controversial is the city's decision in March to establish a [renters' commission](#) to advise city government on housing issues and monitor the effectiveness and enforcement of legislation related to the 54 percent of the city's population that rents.

- **No harassing people into moving out**

New York is hardly known for being nice, but the city is [drawing the line](#) at harassment. Since landlords are frequently able to revert to market-rate rents when tenants move out of [rent-regulated](#) (rent-controlled or rent-stabilized) housing, there is a strong motive for landlords to, shall we say, "encourage" turnover in those units.

Existing laws set a very high bar for what constitutes criminal harassment—a standard that has never been met in court in the 20 years since it was established. A new law [proposed](#) in April would remove the requirement to prove physical injury to a tenant. If passed, the new law will allow prosecution of tactics commonly reported in harassment complaints, like turning off heat and hot water, ignoring lead abatement requirements, and making rent-stabilized buildings deliberately uninhabitable for current tenants and their families.

Looking for help? [Learn more about landlord-tenant law, and find attorneys in your area](#)

Like New York, Los Angeles has many neighborhoods where the combination of rent-stabilization and rapid gentrification makes a quick turnover of tenants financially beneficial for landlords. Housing advocates in LA report landlords harassing tenants by eliminating services, such as parking or utilities, refusing to do repair work required by law, or using lies and intimidation to make a tenant move out. In April, the Los Angeles City Council directed the city's Housing and Community Investment Department to study the potential impact of an [ordinance](#) (similar to existing laws in San Francisco, Santa Monica, and West Hollywood) that would protect renters from landlord harassment.

The potential harassment ordinance was one of several [motions](#) proposed to protect renters, including one that would require landlords to provide tenants with complete information about their rights under the city's [rent-stabilization ordinance](#) when they sign their lease.

- **No more threatening to deport tenants**

A bill making its way through the California state legislature looks to protect tenants from a very particular form of harassment—the threat of deportation. Between 2.5 and 3.5 million California residents are undocumented immigrants, and most of them are renters. In response to a dramatic spike in [reports](#) of landlord intimidation, [AB 291](#) would bar landlords from reporting or threatening to report tenants to immigration authorities in retaliation for engaging in legally-protected activities or to influence them to vacate.

A second bill, [AB 299](#), would prohibit the state from compelling a landlord to obtain or disclose information about the ~~immigration or citizenship status of a tenant. Existing law already prevents many city or county governments from such~~

[immigration](#) or citizenship status of a tenant. (Existing law already prevents many city or county governments from such actions.)

- **Rent control...in Oregon?**

Oregon is one of the fastest-growing states in the country, with new residents drawn by its scenic mountains and low unemployment rate. But the formerly sleepy state isn't building new housing fast enough to meet demand, and this has resulted in [rapidly rising](#) rents, with some apartments doubling in price in a single month and some fully-employed families forced to live in tents.

To protect the 40 percent of Oregon residents who rent their homes, [House Bill 2004](#) would overturn a decades-old prohibition on any form of rent-control. It would also prohibit landlords from terminating month-to-month tenancy without cause except under certain circumstances. If those circumstances are met, landlords must still provide [evicted](#) tenants with 90 days' written notice and a payment equal to one month's rent.

The hotly [contested](#) bill squeaked by 31-27 in the House, but still must pass the state Senate to become law.

- **New protections in a rural state**

Even in Arkansas—far away from the liberal, coastal cities where most of these laws originate, and infamous for its [imbalanced](#) laws affecting renters—multiple tenant protection bills are under consideration.

Among them, [HB 1166](#) would finally require landlords in Arkansas to provide three things: (1) a functioning roof and “building envelope,” (2) working heating and air-conditioning systems (if such systems were in service at time the rental agreement was signed), and (3) functioning electricity, water, and sanitary sewer systems.

A competing bill, [HB 2135](#), goes even further, requiring landlords to maintain building and housing codes, ensure the property is safe and fit for living, and provide doors that lock and work.

Tagged [civil rights](#), [Landlord Tenant Law](#), [real estate](#)

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