



Updates from the 2019 Legislative Session

New Policies Strengthen State Safety
Net, Boost Consumer Protections,
and Protect Civil Rights!

September 24, 2019

Agenda

- **Welcome & Logistics**
- **Introductions & Polls**
- **Consumer Protections** (Jay Doran, Statewide Poverty Action Network)
- **Criminal Justice Reform** (Jay Doran, Statewide Poverty Action Network)
- **Basic Needs** (David Hlebain, Statewide Poverty Action Network)
- **Tenant Protections** (Michele Thomas, Washington Low Income Housing Alliance)
- **Questions**



Poll 1

Who do we have on the call today?



Poll 2

Of the issue areas we will cover today, which are you least familiar with?

The Statewide Poverty Action Network is a grassroots advocacy organization that supports grassroots leaders, mobilizes voters, and advances equitable policy solutions to end poverty in Washington state. 📢

Find us online:

povertyaction.org

Facebook: Statewide Poverty Action Network

Twitter: @povertyactionwa

Instagram: @poverty_action





Jay Doran, Policy & Field Campaign Manager

Consumer Protections & Justice Reform

So Many Consumer Protections!



Tax Lien Foreclosure Relief



Elimination of Pocket Service



Enhanced Medical Debt Protections



Debt Collection Regulation



Elimination of Zombie Debt

Tax Lien Foreclosure Relief



Problem

- Tax lien foreclosures, which are often a symptom of gentrification, happen when people are unable to pay the property taxes on their home.
- This disproportionately affects low-income people and people on fixed incomes, seniors, and people of color.
- From 2016, which is the first full year of data, to 2018, tax foreclosure calls to the hotline as a percentage of overall calls increased by about 41%.

House Bill 1105

- Mandates that counties must alert homeowners of aid and resources dedicated to property tax foreclosures.
- Creates a process for counties to forgive late fees and interest to income-eligible homeowners.
- Makes it easier for homeowners to setup payment plans for back taxes.

Elimination of Pocket Service

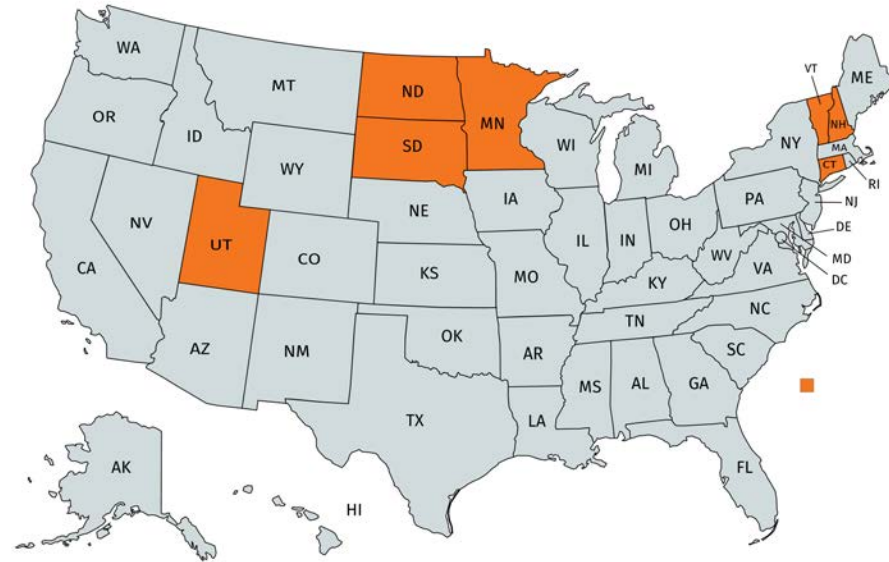


Problem

Debt collectors in Washington state were serving a person with a lawsuit for an outstanding debt without filing the lawsuit in court, a practice known as “pocket service.”

House Bill 1066

Requires that before a debt collector can serve a person with a lawsuit for an outstanding debt, the summons and complaint must have first been filed with a court.



These states still allow pocket service. Before the passage of HB 1066, Washington was one of them.

Enhanced Medical Debt Protections

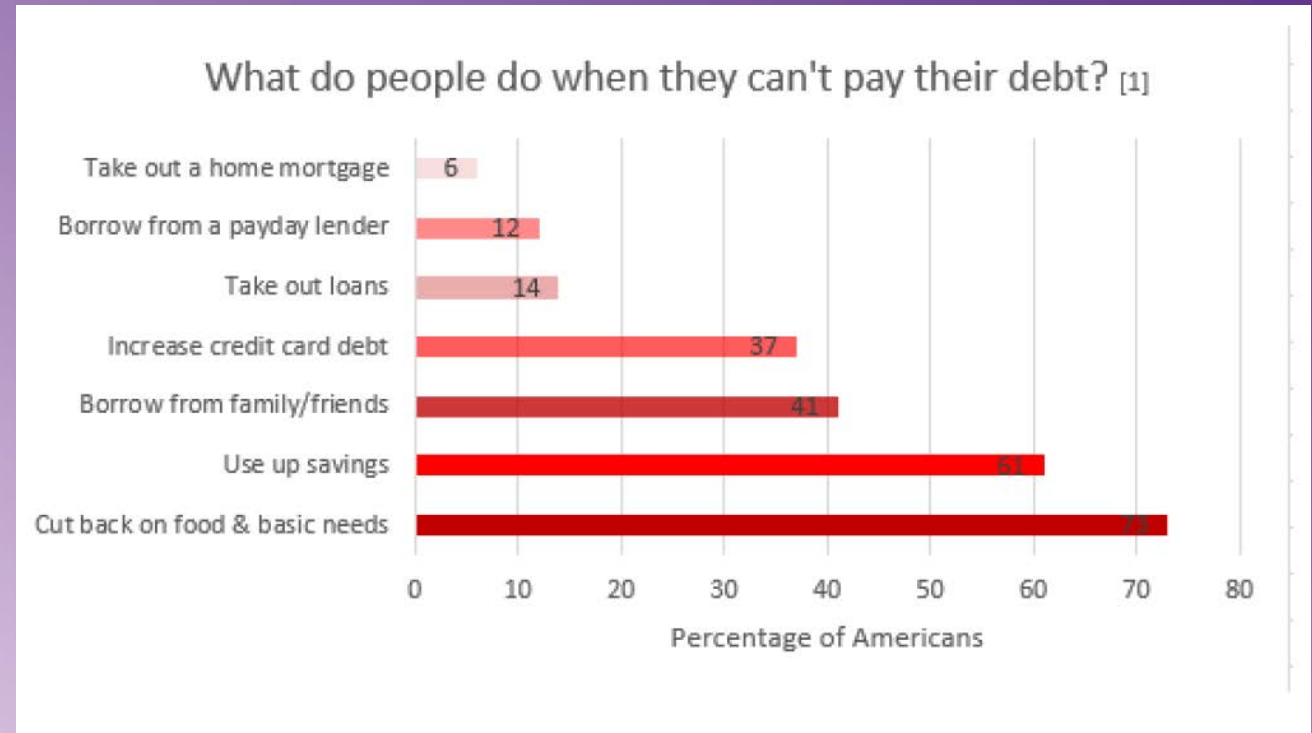


Problem

Medical debt is widespread and overwhelming. It is the number one cause of bankruptcy in the US.

Substitute House Bill 1531

- Regulates and restricts interest accumulation on medical debt (the pre-judgement interest rate has been lowered from 12% to 9%)
- Prevents medical providers from selling debt to collection agencies for at least 120 days
- Requires collectors to provide people with information about how to access Charity Care.



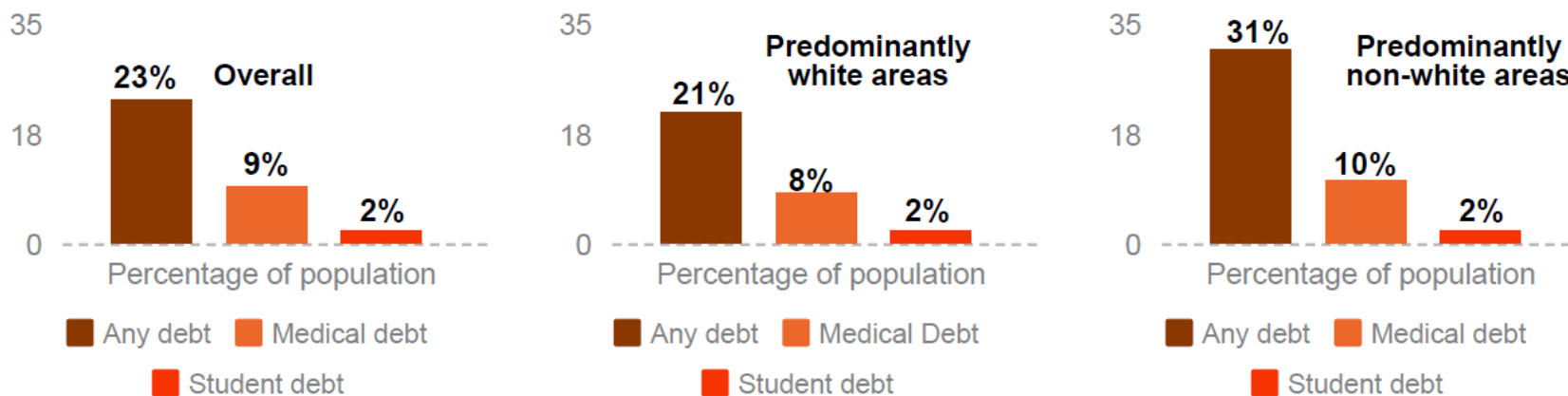
Strengthening Protections & Regulating Collectors/Buyers



Problem

- Cost of living is quickly outpacing income.
- Disproportionately sue low-income people and people of color.
- Sue and attempt to collect on debts with little or no evidence.
- They rely heavily on tax-funded state institutions (i.e. the court system) to make their profit.

Percentage of Washingtonians with debt in collections



Strengthening Protections & Regulating Collectors/Buyers (cnt'd)



Substitute House Bill 1602

- **Lowers interest rate on consumer debt to 9%** (originally 12%)
- Strengthens garnishment protections
 - Bank account exemptions for consumer debt - **increased \$2,000** (originally \$500)
 - Wage garnishment exemptions - **increased to the greater of 35 times the state minimum wage or 80% of disposable earnings** (originally the greater of 35 times the federal minimum wage or 75% of disposable earnings)

House Bill 1730

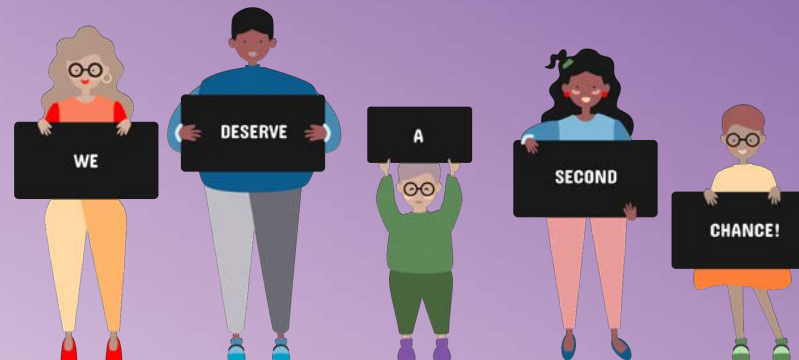
When the statute of limitations expires on a consumer debt, you cannot be sued for the debt and collectors cannot attempt to collect on it. Nothing can revive the statute of limitations.



The New Hope Act

Problem

- On any given day in Washington, there are roughly 36,000 people behind bars.
- African Americans, Latinx, and Indigenous folks are incarcerated at incredibly higher rates than white people
- Incredibly difficult to reintegrate into society after incarceration



New Hope Act

- Certificate of Discharge is issued upon completion of sentencing conditions
- Makes the process of vacating charges (both felonies and misdemeanors) easier and more accessible
 - Cannot class A felonies, most violent offenses, DUIs, and sex offenses
 - Waiting periods – 10 years for Class B felonies, 5 years for Class C, 3 years for misdemeanors
- Best resource: <https://civilsurvival.org/new-hope-act-forms/>



David Hlebain, Basic Needs Campaign Manager

Basic Needs (state safety net programs)

Basic Needs



Temporary Assistance for Needy Families



Housing & Essential Needs



Dental Access for Immigrants

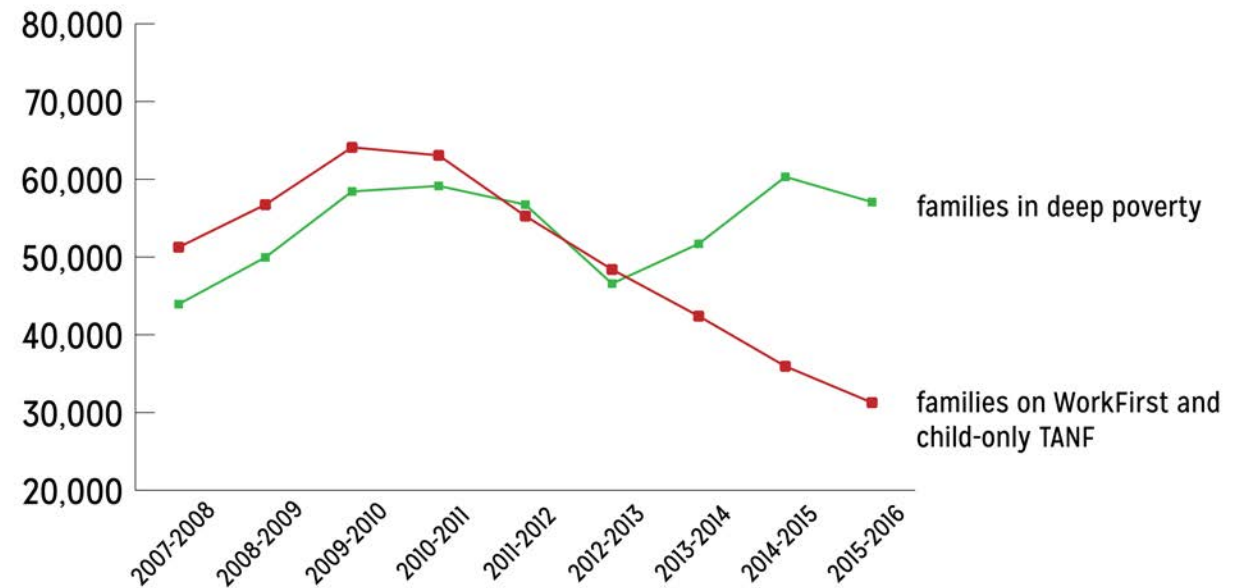
Temporary Assistance for Needy Families (TANF)



Problem:

- During the Great Recession, state lawmakers & officials made policy changes to TANF that made it harder to access the program, thus radically reducing the caseload.
- Lawmakers have not prioritized repealing these harsh sanction and time limit policies, and the result is that our TANF caseload is at its lowest point in history, despite and overall increase in the number of families living in deep poverty.

The WorkFirst caseload has dropped dramatically over the last decade even as the number of families in deep poverty grew

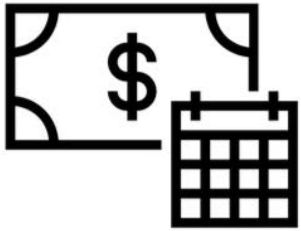


Center on Budget and Policy Priorities analysis of poverty and deep poverty data from the Census' Current Population Survey. CBPP uses two-year averages of the poverty data and the TANF-to-Poverty ratios to improve the reliability of the data at the state level.

TANF (continued)



Has your family lost access to Temporary Assistance for Needy Families (TANF)?



If you were **kicked off** TANF due to:

- sanctions that led you to be permanently disqualified, OR
- the 60-month limit, and you and your family are currently homeless,

you are again eligible for TANF, due to changes in the law effective July 28, 2019.

To re-apply for TANF, you must submit an application either in person, by mail, or online. Visit washingtonconnection.org for an online application, or bit.ly/dshs-offices for a list of DSHS offices throughout the state.



Are you being denied these new benefits? For legal support, call:

- King County: Solid Ground's Benefits Legal Assistance, 206-694-6742
- Outside King County: CLEAR Legal Hotline, 1-888-201-1014



SSHB 1603:

- Took initial steps to restore the program by undoing some of the harshest policy changes.
- The state can no longer permanently disqualify people for repeated sanctions and there is a new TANF time limit extension for families experiencing homelessness.
- Families removed from the program under these past policies and are otherwise eligible can reapply.

Housing & Essential Needs (HEN)

Problem:

- Counties across the state were seeing growing waitlists to access HEN, which provides rent and utility assistance to people with disabilities, as demand for the program outpaced available resources.



The final budget increased the HEN biennial allocation from \$59 million to \$73 million, an increase of \$14.5 million. As a result, counties with waitlists are once again able to enroll eligible clients in HEN as of July 1, 2019.

Medical Care Services / Dental Access for Immigrants on HEN/ABD



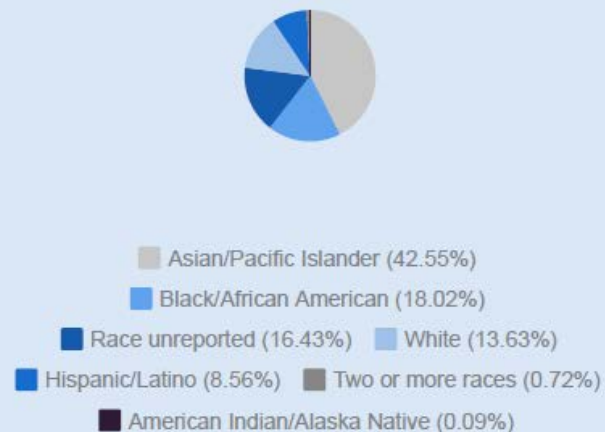
Who are MCS patients?

> The average age is 69 years

> Nearly two-thirds of patients are female



> Almost 70% are from communities of color



Problem:

- Medical Care Services, the state funded healthcare program for immigrants on HEN/ABD who are ineligible for Apple Health, did not previously include a dental benefit.

The final budget provided funding for Medical Care Services to implement a full dental benefit mirroring the Apple Health benefit. The benefit is scheduled to be fully implemented by January 1, 2020.



Michele Thomas
Director of Policy and Advocacy

New Tenant Protections

2019 Wins for Affordable Housing & Homelessness!

\$175 Million for the State Housing Trust Fund!	HEN funding increase and new funds for homelessness!	HB 1406 = Local funds for affordable homes!	HB 1923 = Making it easier to build affordable homes!	HB 1743 = Clarifies wage rates for builders of affordable homes.
SB 5600 = Eviction reforms to keep people in their homes!	HB 1440 = Doubles the notice requirement for rent increases!	HB 1462 = Requires 120 days notice to move for substantial rehabilitation!	HB 1582 = Improving the rights of manufactured housing homeowners!	SB 5324 = Improves the Homeless Student Stability Act!



SB 5600 bill signing, May 9th, 2019!

Eviction Reform

5600/Kuderer and HB 1453/Macri

Tenant protections are critical in advancing racial equity:

- 69% of black households in Washington state are renters, compared to only 33% of white households,
- 57% of Hispanic or Latino households are renters in Washington state and,
- 66% of Native Hawaiian or Pacific Islander households are renters.

Eviction Reform

5600/Kuderer and HB 1453/Macri

Eviction reform is particularly critical in advancing racial equity:

- Black adults are 5.5 times more likely to be evicted than white adults in King County and 6.8 times more likely in Pierce County.
- 1 in 5 black adults had an eviction in Pierce County between 2013 and 2017, and 1 in 10 black adults had an eviction in King County.
- Latinx adults are 1.9 times more likely to be evicted than white adults in King County and 1.4 times more likely to be evicted in Pierce County.

Eviction Reform

5600/Kuderer and HB 1453/Macri

Eviction reform is also critical in advancing gender equity, especially for women of color:

- Black women in King County are evicted 4.42 times more than white women.
- Women are more likely to be evicted over small amounts of money: The Losing Home study of evictions found that of single-tenant household cases where a tenant owed \$100.00 or less, 81.0% were women.

Eviction Reform

5600/Kuderer and HB 1453/Macri

- Eviction reform is critical in order to prevent and end homelessness.
- No significant amendments to the eviction laws in Washington's Residential Landlord Tenant Act since it was enacted in 1973, 41 years ago.
- SB 5600 goes into effect on July 28th!
- Tenants will also have 60-day notices of rent increases and 120-day notices to move for demolition, substantial rehab or change of use.

Eviction Reform

5600/Kuderer and HB 1453/Macri

- Requires 14-day notice to pay or vacate, up from 3 days.
- Late fees that can be included in the eviction lawsuit are now capped at \$75 and attorney fees are only allowed in certain circumstances.
- Created judicial discretion to allow judges to order alternatives to eviction, such as a payment plan.
- Created a mitigation fund to step in and pay a court judgement when a tenancy is reinstated.
- Attorney General's office now translates the 14-day pay or vacate form in multiple languages:
<https://www.atg.wa.gov/landlord-tenant>

Eviction Reform

5600/Kuderer and HB 1453/Macri

- More detailed information on eviction rights can be found at <https://www.washingtonlawhelp.org>
- Information for tenants is available in multiple languages.
- Some fixes are needed and legislation may be introduced in 2020 to address some of the loopholes that quickly emerged.

Additional new tenant protections



- HB 1440: Tenants will also have 60-day notices of rent increases and rent increases during a lease term are no longer allowed.
- HB 1462: 120-day notice to move for demolition, substantial rehab or change of use.

Looking ahead to 2020



- ✓ Fixes to eviction reform
- ✓ Requiring cause to termination tenancy, SHB 1656/Macri & 5733/Saldaña
- ✓ Move in fee installment payment plan, HB 1694/Morgan



Questions?

Thank you for joining!



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