



2023 LEGISLATIVE SUMMARY





**BILLS CONCERNING
REAL ESTATE BROKERAGE
SERVICES**

BILLS CONCERNING REAL ESTATE BROKERAGE SERVICES

REAL ESTATE AGENCY

SB 5191

BILL SPONSOR: STANFORD/DOZIER
SENATE 48-0, HOUSE 97-0

SB 5191 amends Chapter 18.86 RCW, the real estate agency law to include several new provisions that will benefit both consumers and the real estate industry.

- Creates new written services agreement for buyers, similar to the existing seller agency agreement
- Services agreement must include items such as the duration of the agreement, whether it is exclusive or non-exclusive, and the amount of compensation.
- Modifies dual agency relationships by using the term “limited dual agent” and requiring written consent for dual agency.
- Revises the Real Estate Agency Law pamphlet, ensures certain broker duties apply to all parties in a transaction.



For questions, please reach out to the Government Affairs Staff at 360.943.3100 or info@warealtor.org

BILLS CONCERNING REAL ESTATE BROKERAGE SERVICES

EXEMPTION FROM LANDLORD / TENANT ACT FOR SALE / LEASEBACKS

HB 1070

BILL SPONSOR: CONNORS/REEVES
HOUSE 98-0, SENATE 49-0

Clarifies that leaseback agreements between and sellers and buyer are not subject to the requirements under the Residential Landlord Tenant Act for three months after the transaction closes.

*“When it comes to
Legislation, you’re either at
the table or on the menu”*



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BILLS CONCERNING REAL ESTATE BROKERAGE SERVICES

LIMITING LIFETIME LISTING AGREEMENTS

SB 5399

SPONSORS: MULLET/DOZIER
SENATE 49-0, HOUSE 98-0

- Imposes 5-year limit on agreements providing cash to homeowners in exchange for homeowner commitment to a future real estate listing agreement.
- Allows homeowner to cancel the contract 10 days after signature.
- Enforceable under state's Consumer Protection Act and by Office of Attorney General.



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**BILLS THAT WILL
CREATE MORE
HOUSING**



BILLS THAT WILL CREATE MORE HOUSING

ALLOWING MIDDLE HOUSING HB 1110

SPONSORS: BATEMAN/BARKIS
HOUSE 75-21, SENATE 35-14

- Cities over 75,000 must allow:
 - 4 units per lot in all residential zones
 - 6 units per lot within ¼ mile of major transit stop
 - 6 units per lot in all residential zones if 2 units are affordable
- Cities between 25,000 – 75,000 must allow:
 - 2 units per lot in all residential zones
 - 4 units per lot within ¼ mile of major transit stop
 - 4 units per lot in all residential zones if 1 unit is affordable
- Cities under 25,000 with UGA connected to largest city UGA in counties over 275,000 must allow:
 - 2 units per lot in all residential zones
- Implementation within 6 months of GMA Comp Plan Update Deadline
- Alternative Compliance option covering 75% of residential parcels



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BILLS THAT WILL CREATE MORE HOUSING

CONSTRUCTION AND USE OF ACCESSORY DWELING UNITS

HB 1337

*SPONSORS: GREGERSON/BARKIS
HOUSE 85-11; SENATE 39-7*

- Applies within all Urban Growth Areas
- All lots must allow 2 ADUs (attached, detached, or both)
- Must allow at least 1,000 square feet
- Limits impact fees on new ADUs
- Owner occupancy cannot be required
- Allows use of condominium process to allow separate sale of primary dwelling unit and ADU



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HB 1110 (MIDDLE HOUSING) & HB 1337 (ADU) IMPLEMENTATION PROCESS

- All counties: Implement within 6 months of required GMA Comprehensive Plan Update
- GMA Comp Plan deadlines in 2024, 2025, 2026 in different parts of the state
- Local Implementation Issues:
 - Cities retain some level of discretion over regulations like parking, tree retention
 - Increased Middle Housing and ADUs require water & sewer (not septic systems)
 - Middle housing allows alternative compliance path for 75% of residential zoned areas
 - Relationship to HB 1220 housing projections and GMA Comp Plan Housing Element



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HB 1337 – ACCESSORY DWELLING UNITS

CITIES MUST ALLOW INSIDE UGA:

- 2 ADUs on all residential lots meeting minimum lot size (attached or detached)
- ADUs of at least 1,000 square feet (may be larger)
- ADUs of at least 24 feet high or equal to primary unit (may be taller)
- ADU regulations equal to primary dwelling units (may be less, but not more stringent)
- Condominium process so ADU and primary unit can be owned/sold separately

CITIES NOT ALLOWED TO IMPOSE:

- Off-street parking within ½ mile of transit
- More than 1 off-street parking spaces for lots less than 6,000 square feet
- More than 2 off-street parking spaces for lots more than 6,000 square feet
- Owner-occupancy requirement for either primary or accessory units



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BILLS THAT WILL CREATE MORE HOUSING

INCREASING SUPPLY OF CONDOS & TOWNHOUSES SB 5258

**SPONSORS: SHEWMAKE/GILDON
SENATE 48-0, HOUSE 98-0**

- Modifies the “right to cure” process to require a written report from a qualified construction defect professional that details the nature of the claimed defect.
- The timelines in the right to cure process are also accelerated to encourage repair and resolution of claims, rather than litigation.
- Increases the amount of deposits allowed for new condominium projects, modifies impact fee schedules to include consideration of smaller unit sizes, creates a downpayment assistance pilot project for certain condominium and townhouse buyers.
- Requires all cities to allow unit lot subdivisions for fee simple townhouse construction.



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BILLS THAT WILL CREATE MORE HOUSING

CREATION OF ADDITIONAL HOUSING UNITS IN EXISTING BUILDINGS

HB 1042

SPONSORS: WALEN/RYU
HOUSE 96-0; SENATE 45-3

- Limits authority of cities to prohibit or place conditions on new housing units within existing buildings in areas commercial and mixed-uses.
- Directs State Building Code Council to waive the energy code for unchanged portions of an existing building, but requires new dwelling units to comply with the current energy code.



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**BILLS THAT WILL
MAKE IT EASIER TO
BUILD MORE HOUSING**

BILLS THAT WILL MAKE IT EASIER TO BUILD MORE HOUSING

PROJECT SPECIFIC SEPA EXEMPTION FOR HOUSING DEVELOPMENT

SB 5412

*SPONSORS: SALOMON/LIIS
SENATE 49-0, 95-2*

- SEPA exemption for new housing development within UGA at the project level, if SEPA review of the same level of density occurred at the GMA or sub-area plan stage.
- Requires consultation with the Washington State Department of Transportation (WSDOT) to determine if anticipated transportation system safety or operation deficiencies exist in connection with a proposed project.



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BILLS THAT WILL MAKE IT EASIER TO BUILD MORE HOUSING

LOCAL PERMIT PROCESSES

SB 5290

*SPONSORS: MULLET/KUDERER
HOUSE 98-0; SENATE 49-0*

- Permit processing improvements, including timeframe for project application completeness for review and permit application review time.
- Requirement for jurisdictions to submit an annual performance report for housing permit applications as listed permit types to Commerce and post on the jurisdiction's website.
- Commerce to develop a consolidated permit review grant program for eligible local governments.
- Commerce to convene a digital permitting process work group.



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BILLS THAT WILL MAKE IT EASIER TO BUILD MORE HOUSING

REFORMING LOCAL DESIGN REVIEW

HB 1293

*SPONSORS: KLICKER/LEAVITT
HOUSE 94-3, 49-0*

- Local government design review process can only apply clear and objective regulations, not subjective or unadopted aesthetic standards.
- Design review may not result in a reduction in density, height, bulk, or scale below the applicable development regulations.
- Any local design review process must be conducted concurrently, or otherwise logically integrated, with the consolidated review and decision process for project permits and may not include more than one public meeting.



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HELPING AFFORDABLE HOUSING AND HOMEOWNERSHP



HELPING AFFORDABLE HOUSING

ESTABLISHING COVENANT HOMEOWNERSHIP PROGRAM

HB 1474

*SPONSORS: TAYLOR/CHOPP
HOUSE 52-44, SENATE 30-19*

HB 1474 increases document recording fees by \$100 to fund a new state program to provide down payment and closing cost assistance to people, or heirs, impacted by racially restrictive covenants. The program is estimated to raise \$75 million per year for homeownership.



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**HOUSING &
HOMELESSNESS
INVESTMENTS**

HOUSING & HOMELESSNESS INVESTMENTS

CAPITAL & OPERATING BUDGETS

- Total of \$1.1 billion dollars, not including additional funds for implementation of various housing and GMA laws.
- Largest investment in low-income housing, homelessness, and market-rate housing in the State's history.
- \$400 million for Housing Trust Fund
- \$170 million for affordable housing, land acquisition, and shelters
- \$160 million for local emergency housing
- \$150 million for Covenant Homeownership Program
- \$66 million for shortfalls caused by decline in document recording fees
- \$120 million for WSDOT right of way program, youth and student homelessness.



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THANK YOU

