

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB3409
Version:	FULLPCS1
Request Number:	10589
Author:	Rep. Bush
Date:	3/1/2022
Impact:	\$0

Research Analysis

The proposed committee substitute for HB 3409 prohibits landlords from retaliating against tenants who exercises in good faith a right granted to them, gives the landlord notice to repair, files a complaint in good faith with a government entity for a code violation or utility problem, or participates in a tenant organization. A landlord is not liable if they can prove the action was not retaliation. The measure also provides circumstances under which an eviction or lease termination does not constitute retaliation. A tenant who has been retaliated against by their landlord is entitled to a civil penalty of one month's rent plus \$500, actual damages, court costs, and reasonable attorney fees. If a tenant files a suit under these provisions in bad faith, the landlord may recover possession of the dwelling unit, a civil penalty of one month's rent plus \$500, court costs, and reasonable attorney fees.

The measure also allows a tenant to correct a condition that materially affects health and is remediable by repairs if the cost of which is equal to or less than one month's rent if there is material noncompliance by the landlord. Previously, the cost could not exceed \$100.

Prepared By: Emily McPherson

Fiscal Analysis

HB 3409 in its current form is not expected to have a direct fiscal impact on the state budget or state revenues.

Prepared By: John McPhetridge

Other Considerations

None.