

# TRANS TENANTS RIGHTS GUIDE



# GENDER IDENTITY & TRANS SPECIFIC PROTECTIONS

Through local and state nondiscrimination laws – including the the Washington Law Against Discrimination (WLAD) – transgender and gender nonconforming people living in WA are protected against housing discrimination.

## CITY OF SEATTLE: FAIR HOUSING

In Seattle It's illegal to discriminate in the rental of housing based on gender identity, race, color, age, use of a service animal, use of a section 8 voucher, criminal history, parental status, alternative sources of income, and sexual orientation.

## WASHINGTON STATE

The Washington State Legislature passed important renter protections effective since July 28, 2019.

These protections include:

- » **More notice for rent increases:** all rent increases now require 60 days' advance notice.
- » **More time for pay or vacate notices:** Landlords must use a 14 day notice when rent is late before they can file for eviction.
- » **Eviction proceedings:** The 14 day notice and the summons and complaint documents have been standardized for simplicity and transparency. Judges can now exercise discretion to consider extenuating circumstances of a tenant such as a job loss or hospitalization when making decisions around evictions. There are also increased opportunities for renters during the eviction process to make payments and reinstate tenancy.



# HELPFUL RESOURCES

## Source of Income Protections in Seattle

<http://bit.ly/incomeprotectionSEA>

## Tenants Union of Washington State

<https://tenantsunion.org/programs/tenants-rights-hotline>

## Criminal History: Fair Chance Housing Ordinance

<http://bit.ly/fairchanceSEA>

## Resources for Renters in Seattle

<http://bit.ly/houseress>

# TRANSGENDER & GENDER DIVERSE FOLKS FREQUENTLY ASKED QUESTIONS

## » Q: Do I need to tell my landlord I am transgender?

No. Many people may feel unsafe or uncomfortable discussing their gender identity. You are not required to disclose your trans status to anybody.

## » Q: Do I need to update my name on my lease?

Technically you do not need to update your name on your lease. However, should you ever breach the agreement or terms of the lease and your landlord decides to bring a lawsuit against you, it would be done under your previous name.

If you'd like to update your name on your lease, you could give your landlord in writing a letter or addendum to your lease that states your new legal name.

## » Q: Do I need to list my dead name for my credit check when applying for an apartment?

You must use your current legal name when applying.

Most rental applications ask you to list your previous names or aliases. There are some reasons why you may want to list your dead name (or previous legal name) on your rental application (see next section).

## Have you updated your name with credit bureaus?

Whatever credit you've built under your previous name will be your credit and changing your name will have no impact on it. However, if you have legally changed your name and you haven't updated your name with the credit bureaus, the credit that you built may still be connected to your previous legal name. This may cause problems with recovering your credit history, so including your previous legal name for your landlord to reference could help when seeking approval for your new apartment.

If your previous landlords and references knew you by your previous legal name then you should list this name so that your new landlord won't have problems when reaching out.

## » Q: My roommate isn't paying their rent on time, am I responsible?

Unless each resident has a separate lease, any notice that the landlord sends regarding rule violations or nonpayment of rent applies to everyone on the rental agreement, and not the individual tenant at fault. If one tenant is late or delinquent on their rent, everyone on the rental agreement can be evicted.

In a situation where one roommate doesn't pay their rent, the other roommates may choose to cover the cost of the rent in order to avoid facing eviction. You may want to send a letter to your landlord documenting that one tenant did not pay their portion, and then you may try to recover rent from the roommate who did not pay, or in small claims court if necessary.

## » Q: Is it my landlords responsibility to pay for accessibility accommodations to my unit?

If you have a disability, you can ask for a reasonable accommodation or modification. A reasonable modification allows you to make changes to the property necessary to make the rental property accessible. You are responsible for paying for reasonable modifications or accessibility accommodations unless the landlord receives federal funds.

## Disclosing Disability Status

Landlords are not allowed to ask whether you have a disability or illness, or ask to see your medical records.

## » Q: Does my landlord have to accept my Section 8 voucher?

In Seattle, folks who participate in a 'Section 8' housing program are considered a protected class which offers stronger protections against discrimination.

Landlords must accept your Section 8 voucher as well as any short or long term subsidy program offered through a government program, private nonprofit organizations, or any other assistance program.

## » Q: What if my roommate is putting my housing at risk or making my housing situation unsafe, can I kick out a roommate?

You can ask your roommate to leave, but your landlord is the only one who can initiate any eviction procedures or termination of their tenancy.

In the case of roommates who are under the same rental agreement, any action the landlord takes



to terminate or enforce the rules of tenancy will apply to all tenants in the rental agreement, not just individual tenants.

The Landlord-Tenant Act allows survivors of domestic violence, sexual assault, stalking or unlawful harassment to break a lease and move if necessary.

Tenants needing to break their lease for these reasons must provide the landlord with either a valid order of protection or a report from a qualified third party regarding the incident. "Qualified third party" can include health care professionals, state court employees, mental health professionals, clergy members, domestic violence/crime prevention advocates, or law enforcement.

Along with providing the landlord with a copy of a valid order for protection or report from a qualified third party, you must also notify your landlord in writing within 90 days of the incident that you are a survivor of domestic violence, sexual assault, stalking or unlawful harassment. The report from the qualified third party must include specific information about the incident.

### **Organizations that are qualified third parties:**

#### **API Chaya**

Helpline: 1-877-922-4292/206-325-0325

Helpline Hours: Monday-Friday 10am-4pm

#### **The Northwest Network**

Phone: +1 206 568 7777

Email: [info@nwnetwork.org](mailto:info@nwnetwork.org)

Office Hours: Monday-Friday 9am-5pm

#### **Consejo Counseling & Referral Service**

Phone: (206) 461-4880

#### **Jewish Family Service: Project DVORA**

Phone: (206) 861-3159



## » Q: What if I've been previously evicted?

An eviction record can lead to a landlord denying your application even if the judge or landlord dismissed the case before trial, you won, or the case is very old. Based on Washington State law RCW 59.18.367 you might be able to get an order from the eviction court that could stop tenant screening companies from using your eviction record when you apply for housing.

If you feel like you need legal support you can apply online with CLEAR Online Through the Northwest Justice Project or Call CLEAR at 1-888-201-1014. CLEAR is Washington's toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

## » Q: What are some good tips for self advocacy as a renter?

Educate yourself on your rights as a renter by using resources like the Tenants Union of Washington State. If you are fully informed about your legal protections, your landlord is less likely to be able to take advantage of you as a tenant.

Document all of your interactions with your landlord. If you ever need to communicate anything with your landlord, whether it be a maintenance request, paying your rent, or something related to your roommates, always deliver your messages in writing to your landlord and try to keep some form of documentation that these interactions/ messages occurred. You can do this by having a third party present or having your landlord sign and date a copy of your message that you can keep for your records.



# ABOUT THIS GUIDE

This guide is an informational document meant for trans renters in Seattle, WA. It offers specific information and resources for trans folks based on questions and concerns we've received around maintaining safe and stable housing. This guide was produced in partnership with The Seattle Department of Construction & Inspections along with support through our work on the Seattle Transgender Economic Empowerment Project funded by the Office of Economic Development.

# ABOUT INGERSOLL GENDER CENTER

Ingersoll Gender Center is an organization by, and for transgender and gender diverse people that provides mutual support through peer-led support groups, advocacy in navigating resources, community organizing, and education — all in the pursuit of our collective self-determination.

## INGERSOLL GENDER CENTER OFFERS FINANCIAL ASSISTANCE FOR:

### 💰 Financial Assistance

For transgender and gender nonconforming community members experiencing crisis.

### 📄 Amending Identification Documents

Financial assistance for community members who need support changing their name or amending their identity documents to reflect their name and gender identity.

