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Sponsor Statement: House Bill 238

Landlord Rejection Of Occupant/Sublease

Sponsored by **Rep. Charisse Millett**

“An Act removing the number of persons under 18 years of age in the household as a reasonable ground for a landlord to reject a proposed sublease or assignment.”

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HB 238 changes the Uniform Residential Landlord and Tenant Act, by removing language that is potentially discriminatory. Section 1, [AS 34.03.060](#) (d) lists a number of reasons for which a landlord may refuse consent to a sublease or assignment of a lease. Included in the list of reasonable grounds for rejecting the sublease to the tenant is the "number of persons under 18 years of age in the household."

According to the Department of Housing and Urban Development's ([HUD](#)) Office of Fair Housing and Equal Opportunity this provision could be interpreted by the public to allow housing discrimination in violation of federal law. "Familial status" is a protected class under federal fair housing law. AS 34.03.060 (d)(3) could be interpreted to allow discrimination because it not only allows, but appears to propose that a landlord "may refuse to a sublease" on the reasonable grounds of "the number of persons under 18 years of age in the household."

HB 238 is intended to bring Alaska's Landlord Tenant Act into line with the Federal Fair Housing Act. Not only will this proposed bill ensure that Alaska continues to receive federal housing program funding under the HOME, CDBG and ESG programs, which average \$6 million per year, but also ensures that landlords treat potential tenants fairly no matter what their family situation is.

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