

## HOUSE BILL No. 2768

By Committee on Federal and State Affairs

Requested by Howell, Howerton, Essex and Tarwater

2-10

1 AN ACT concerning the residential landlord and tenant act; requiring  
2 landlords to accept multiple payment amounts as long as rent is paid on  
3 time and in full and to consider certain income of a tenant or  
4 prospective tenant when demonstrating income as a condition of  
5 qualifying for housing; providing penalties for violations of such  
6 requirements.

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8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. (a) (1) Tenants shall be allowed to make multiple payments  
10 to the landlord or the landlord's designee as long as rent is paid on time  
11 and in full. If the landlord or the landlord's designee refuses such payment,  
12 the amount of such payment shall be forfeited and the obligation of the  
13 tenant to such payment amount shall be discharged. Nothing in this section  
14 shall limit a landlord's other rights under this act.

15 (2) Any person who fails to comply with any requirement imposed  
16 under this section with respect to any tenant is liable to such tenant in an  
17 amount equal to the sum of:

18 (A) Any actual damages sustained by the tenant as a result of such  
19 failure to comply;

20 (B) an amount of punitive damages as the court may allow; and

21 (C) in the case of any successful action to enforce any liability under  
22 this section, the costs of the action together with reasonable attorney fees  
23 as determined by the court.

24 (b) The requirements and remedies of this section are in addition to  
25 any other requirements and remedies provided by law.

26 (c) This section shall be a part of and supplemental to the residential  
27 landlord and tenant act.

28 Sec. 2. (a) If a landlord requires a tenant or prospective tenant to  
29 demonstrate income as a condition of qualifying for housing, all income  
30 shall be considered.

31 (b) Except as provided further, as used in this section, "income"  
32 means any lawful source of money paid directly or indirectly to a renter or  
33 buyer of housing, including, but not limited to, any: (1) Wages or  
34 compensation from any lawful profession or occupation; (2) government  
35 or private income, assistance, grant or loan program; (3) compensation

1 pursuant to 38 C.F.R. § 3.3, 38 C.F.R. § 3.4 or 38 C.F.R. § 3.5; (4) pension,  
2 annuity, alimony, child support or other consideration or benefit; and (5)  
3 sale or pledge of property or interest in property. "Income" does not  
4 include any federal housing assistance issued under section 8 of the United  
5 States housing act of 1937, 42 U.S.C. § 1437f.

6 (c) If a landlord rejects a tenant's or prospective tenant's application  
7 because the landlord fails to consider all income as required by this  
8 section, such landlord shall repay to such tenant or prospective tenant an  
9 amount equal to double such tenant's or prospective tenant's application  
10 fees and costs.

11 (d) This section shall be a part of and supplemental to the residential  
12 landlord and tenant act.

13 Sec. 3. This act shall take effect and be in force from and after  
14 January 1, 2027, and its publication in the statute book.