



**TO:** Elizabeth Pauli, City Manager  
**FROM:** Diane Powers, Director, Office of Equity and Human Rights  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance to Amend Tacoma Municipal Code 1.29 to Add Source of Income as a Protected Class – November 13, 2018  
**DATE:** October 23, 2018

**SUMMARY:**

The Office of Equity and Human Rights is requesting approval of an ordinance to amend Tacoma Municipal Code (TMC) 1.29 to add Source of Income as a protected class. The source of income protection ordinance would prohibit discrimination against renters who use subsidies or alternative sources of income to pay for their housing costs such as:

- Social Security, Veteran’s benefits, retirement, Temporary Assistance to Needy Families (TANF) Aged, Blind and Disabled (ABD)
- Rent subsidies from federal, state or local housing programs, such as the Section 8 voucher program, Share Aspire or Housing and Essential Needs (HEN)
- Short-term rental assistance, for example from organizations like Catholic Community Services or Lutheran Community Services

The following actions cannot be taken against a renter based on the renter’s use of a subsidy or alternative source of income:

- Denying an application for housing
- Refusing to show a unit to a prospective tenant
- Expelling or evicting a tenant
- Applying different terms and conditions
- Harassing or retaliating against a tenant
- Using preferences or limitations in advertising

This ordinance makes housing more accessible for low-income people and by making a protected class it allows for enforcement.

**BACKGROUND:**

The rental market is drastically changing in Tacoma which has made it harder for low-income people to access housing. It has been documented by researchers that source of income discrimination creates barriers for people struggling to find housing within the City of Tacoma.

In an effort to address this issue, in 2017 Council Member Lauren Walker Lee requested that the City Manager through the Office of Equity and Human Rights (OEHR) look into amending TMC 1.29 to add source of income as a protected class.

On September 30, 2018, the state law went into effect to prohibit source of income discrimination. However, there is no enforcement mechanism because it is under the Washington State Residential Landlord-Tenant Act (RCW 59.18).



**ISSUE:**

Source of income discrimination has been documented by researchers, and appears to create barriers for people struggling to find housing within the City of Tacoma. The proposed amendment would prohibit discrimination against renters who use subsidies or alternative sources of income such as Social Security to pay for their housing costs.

**ALTERNATIVES:**

The City Council could choose not to pass this ordinance, which could leave tenants who may not be able to seek civil remedies unprotected resulting in increased levels of homelessness.

**FISCAL IMPACT:**

There is no impact to staff resources investigating complaints. However, if capacity increased in the future we may require additional resources. Fiscal impact is unknown at this time.

**RECOMMENDATION:**

The Office of Equity and Human Rights recommends adoption of the proposed amendment to TMC 1.29 to add source of income as a protected class and requests approval by the City Council.

**ATTACHMENTS:**

- Exhibit A, proposed amendment and recommended changes to TMC 1.29.