



TO: Elizabeth Pauli
FROM: Lisa Woods, Interim Director, Office of Equity and Human Rights
COPY: City Council and City Clerk
SUBJECT: TMC 1.95 Rental Housing Code Amendment-October 1, 2021
DATE: September 14, 2021

SUMMARY AND PURPOSE:

With the passage of Engrossed Substitute House Bill (ESHB) 1236, property owners are now required to have just cause to terminate tenancies under the Residential Landlord Tenant Act, RCW 59.18. Language in the City of Tacoma's Rental Housing Code (TMC 1.95) currently refers to no cause to terminate tenancies. This ordinance amendment will align the City of Tacoma's Rental Housing Code (TMC 1.95) with the notice requirement in ESHB 1236 and the State of Washington's Residential Landlord-Tenant Act (RCW 59.18).

BACKGROUND:

This Department's Recommendation is Based On: The City Manager, through City Staff, researched "Just Cause Eviction" ordinances throughout other jurisdictions. Feedback was gathered from landlord and tenant organizations on the impacts of the ordinance. After researching and gathering information, it is staff recommendation to adopt the Statewide "Just Cause Eviction" law which became effective on May 10, 2021. Staff also gathered information on other proposed changes to the Rental Housing Code (RHC). These recommendations were developed by using data from the City of Tacoma's Landlord-Tenant Program, feedback received from a survey, community forums, and a stakeholders' group, consisting of tenants, landlords, and legal representation of both landlords and tenants which met formally three times. This code amendment would allow for not only additional protections, but also allow enforcement action by the City to commence, which was lost with the passage of ESHB 1236.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

The amendment of this code will have an impact on tenants who will no longer only have civil remedies related to termination of tenancy violations under the Washington State Residential Landlord-Tenant Act, RCW and the RHC. Community engagement around "Just Cause Eviction" and proposed changes to RHC has consisted of:

- October 2020-July 2021: engaged internal and external stakeholders on proposed RHC updates and adoption of "Just Cause Eviction" ordinance.
- May 2021: conducted four, 90-minute listening sessions—two with landlords and two with tenants to hear community feedback on proposed changes to the RHC and adoption of "Just Cause Eviction" provisions in Tacoma.
- August 2021: formed stakeholder group with both internal and external stakeholder group that formally met three times and assisted in the revision of proposed changes to the "Just Cause Eviction" provisions.



2025 STRATEGIC PRIORITIES:

Equity and Accessibility: (Mandatory)

Recent research has shown that Black Tacoma residents face inequitable risk of eviction. By passing these code updates, we can align with the State and ensure that any evictions are a result of a Just Cause and minimize the risk of involuntary displacement due to racism, sexism, homophobia, or any other form of discrimination.

Identify which Tacoma 2025 strategic goals your legislation most relates to, and then identify the [Equity Index Score](#) for those goals in the geography your proposal will affect. Select the indicator(s) this legislation is most related to, then briefly explain how this legislation will impact the selected indicator(s) and/or improve the Equity Index Score. **Use the dropdowns below and refer to guide for more information.**

Livability: Equity Index Score: Moderate Opportunity

Decrease the percentage of individuals who are spending more than 45% of income on housing and transportation costs.

Improve health outcomes and reduce disparities, in alignment with the community health needs assessment and CHIP, for all Tacoma residents

Explain how your legislation will affect the selected indicator(s).

By aligning the Tacoma Rental Housing Code to changes made in the State Legislature, additional protections and supports such as Just Cause Evictions will ensure that more Tacoma residents are able to stay in their homes and communities, ensuring that more Tacoma residents maintain access to their (affordable) housing, and as a result also reduce involuntary displacement and the negative health impacts associated with displacement.

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Do Not Update Code		TMC will not be aligned with State Code, creating confusion.

EVALUATION AND FOLLOW UP:

The ultimate outcome measure of this work is evictions, so staff will continue to monitor evictions in the City of Tacoma. These outcomes will continue to be compared to neighboring jurisdictions to better understand the relationship between housing policies and evictions. Additionally, staff will continue to gather qualitative process outcomes from ongoing work in the Landlord-Tenant program, through both individual support to landlords and tenants as well as through ongoing engagement with those communities.

STAFF/SPONSOR RECOMMENDATION:

Staff recommends adopting the proposed updated language in the Tacoma Municipal Code to align with the State Code and provide the additional protections through Just Cause evictions, as well as allowing enforcement action by the City to commence.



FISCAL IMPACT:

Please provide a short summary of the fiscal impacts associated with the grant, agreement, policy action, or other action.

No fiscal impact.

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
1. N/A			
TOTAL			

What Funding is being used to support the expense? N/A

Are the expenditures and revenues planned and budgeted in this biennium’s current budget?

NO, PLEASE EXPLAIN BELOW

Expenditures are already planned and budgeted as part of the Office of Equity and Human Rights Biennial Budget as part of ongoing implementation of the Landlord Tenant Program.

Are there financial costs or other impacts of not implementing the legislation?

No

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City’s FTE/personnel counts?

No

ATTACHMENTS:

List attachments using bullet points.

- Updated Rental Housing Code Ordinance
- Summary of Proposed Changes Table