



TO: Mayor and City Council Members
FROM: Elizabeth Pauli, City Manager
COPY: City Clerk
SUBJECT: Emergency Ordinance Amending Title 1 of the Tacoma Municipal Code to add Chapter 1.95 “Tenant Rights Code” – April 26, 2018
DATE: April 25, 2018

SUMMARY:

Ordinance relating to affordable housing and tenant protections; amending Title 1 of the Tacoma Municipal Code (“TMC”) by adding thereto a new Chapter 1.95, to be known and designated as the “Tenant Rights Code,” requiring residential landlords to provide 90 days' written notice prior to terminating a month-to-month tenancy under certain circumstances; amending TMC 1.23.050.B, by adding a new Subsection 1.23.050.B.40, placing appeals related to violations of TMC 1.95 in the jurisdiction of the City Hearing Examiner, and declaring an emergency, making necessary the passage of this ordinance and it becoming effective immediately.

STRATEGIC POLICY PRIORITY:

This ordinance best aligns with the following Strategic Priority:

- Ensure all Tacoma residents are valued and have access to resources to meet their needs.

At the February 23rd City Council Strategic Planning Work Session, the City Council identified homelessness and affordable housing as two of their four top priorities; therefore, affordable, safe and stable housing in the City will assist the City’s fight against homelessness.

BACKGROUND:

On May 9, 2017, the City Council enacted Ordinance No. 28430 (“Emergency Ordinance”), declaring a state of emergency relating to the conditions of homeless encampments and authorizing such actions are reasonable and necessary in light of such emergency to mitigate the conditions giving rise to such public emergency, and provided for a sunset date of October 9, 2017, which has been extended to December 31, 2018, pursuant to Ordinance No. 28477, enacted December 12, 2017;

On April 5, 2018, residents in all 58 units of the Tiki Apartments complex received notices to vacate their apartments so that substantial rehabilitation of the apartments could be performed; half of the residents were given until April 30, 2018, to vacate, and half until the end of May 2018, in accordance with current notification requirements;

Although some of vacation dates have been extended, many of the residents are low-income, disabled, or have other challenges in finding a new home within such a short timeframe and within a similar price point. Similar hardship experiences were conveyed to the City Council by members of the public at its regular meeting on April 24, 2018. A longer notice period would greatly assist residents locate housing and avoid homelessness; therefore, the City Council requested that an Emergency Ordinance be placed on the agenda for a Special Meeting of the City Council on Thursday, April 26th, so they could consider amending the Tacoma Municipal Code to add a new Chapter for tenant rights. The new code would require landlords to provide 90 days' written notice prior to terminating a month-to-month tenancy under certain circumstances. To make the new code effective immediately, an emergency would have to be declared and an ordinance approved by six City Council Members. The emergency ordinance would have a sunset date of September 30, 2018, so that the Community Vitality and Safety Committee could discuss policy options and bring forth recommendations



for the City Council to consider related to tenant rights for Tacoma residents, similar to what some other cities have done. On April 24, 2018, the City Council adopted Resolution No. 39998 directing the City Manager to review related City policies and to have staff examine options for expanding tenants' rights while not doing undue harm to landlords.

ISSUE:

Affordable, safe, and stable housing in the City is a valuable asset in the City's fight against homelessness and at this time, there are no Tacoma Municipal Codes that requires landlords give more notice to month-to-month tenants who would be displaced for certain circumstances. A code would reduce hardships for residents without resources to prevent them from becoming homeless.

ALTERNATIVES:

The City Council could chose to reject the emergency ordinance or modify the proposed language.

RECOMMENDATION:

In order to support options for residents of Tacoma to have affordable, safe, and stable housing in the City and to prevent homelessness, it is recommended that the ordinance be approved to reduce hardships and ensure residents have additional time to find a new home.

FISCAL IMPACT:

This emergency ordinance has no fiscal impact.