

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF TACOMA  
AND  
WASHINGTON STATE DEPARTMENT OF CORRECTIONS**

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into **August 1, 2018**, by and between the City of Tacoma, a municipal corporation ("City") and Washington State Department of Corrections ("DOC"), a Washington state agency regarding housing for released offenders.

**RECITALS**

- 1) Whereas the DOC has responsibility for oversight of the Earned Release Date (ERD) Housing Voucher Program which mitigates barriers to efficient offender re-entry into the community.
- 2) Whereas the DOC maintains and provides information to the offender population and the public about housing vendors throughout the State of Washington including the City who provides transitional housing.
- 3) Whereas both the City and the DOC are committed to ensuring safe housing conditions for residents of the City and minimizing community impacts of transitional housing.
- 4) Whereas the City and DOC have identified a number of shared strategies that the organizations wish to deploy in partnership toward this end.

**NOW THEREFORE**, the parties hereby memorialize the following agreements and obligations:  
The DOC and the City will cooperate in the operation of the ERD Housing Voucher Program in Tacoma, Washington.

**TERMS**

- 1) The Memorandum of Understanding will begin on the effective date stated above and continue until July 31, 2021, unless terminated sooner by written notice to the other party. Either party may terminate with written notice.
- 2) The term will be thirty-six months with an evaluation at the end of 36 months, unless replaced by a modified agreement.
- 3) The City and DOC will meet and review the MOU annually and to make modifications to the agreement as necessary to maintain the effectiveness of the strategies contained in the memorandum.

### **Criteria for Participation in the ERD Housing Voucher Program**

- 1) The DOC and the City of Tacoma shall continue the housing vender education process,
  - a. The DOC will require housing standards through administrative policy that vendors must adhere to.
  - b. The City will provide technical assistance, as requested by DOC, in establishing housing standards based on local building codes.
- 2) The DOC will continue the processes for self-certification of compliance for both existing vendors and new vendors. The DOC will deny participation or remove vendors from pre-existing lists if they fail to complete required self-certification processes and/or fail to comply with established standards.
  - a. **New Housing Vendors:** Prior to posting a new listing on the directory of eligible addresses for the voucher program, the DOC Regional Housing Specialist will schedule a meeting with potential vendors to provide and explain DOC Housing Standards. The prospective housing provider will be required to submit a self-certification of compliance and any additional documentation prior to any referrals or payment.
  - b. The DOC can provide reference materials to vendors who wish to seek inspection services in completing the self-certification document.
- 3) In addition to the self-certification of compliance, the DOC will require vendors to submit the following to the DOC Regional Housing Specialist before referrals are made:
  - a) Proof of a valid City business license for rental of real estate from the vendor and property owner if different from the vendor (The City will verify the status of the licenses on an annual basis).
  - b) Self-certification of compliance with City zoning codes.
  - c) Self-certification of compliance with Washington State Landlord Tenant Act and local, state and federal Fair Housing Laws.
    - (i) The City will provide technical assistance, as required by DOC, in establishing application or research materials related to these requirements.
    - (ii) The City will provide assistance to housing vendors in Tacoma in understanding rules and obligations through the City's existing Planning and Development Department and Neighborhood and Community Services programs and services.

- 4) The DOC will provide an update to a Neighborhood Council as requested.

**Ongoing Requirements for Participation in the ERD Housing Vendor Program**

- 1) Once a housing vendor is identified in Tacoma, the DOC will require vendors to acquire City's Crime Free Housing Certification within nine (9) months of application or re-application.
  - a) The City will hold Crime Free Housing Training Services quarterly.
  - b) If lack of compliance with Crime Free Housing Training is identified, DOC will require a plan of action within 30 days to restore compliance.
  - c) Over the course of this project, the City may identify strategies that could scale crime-free housing provisions to apply statewide.
- 2) To ensure that housing vendors maintain properties in the conditions identified through the self-certification process, the DOC's Housing Specialist will conduct site visits to monitor compliance with DOC Housing Standards.
  - a) The DOC Regional Housing Specialist will conduct site visits on an annual basis at vendor housing facilities that receive funding by the ERD Housing Vendor Program.
  - b) If lack of compliance is identified, DOC will require a plan of action to restore compliance within 30 days.

**Vendors with a City of Tacoma Provisional Rental License**

- 1) The City will notify the DOC of housing vendors who are required to obtain a Provisional Rental License under Tacoma Municipal Code 6B.165.
  - a) The DOC will not consider new referrals or approve new plans in homes where the vendor is required to obtain a Provisional Rental License, until required improvements are complete. However, notification of provisional status may not interrupt existing referrals in DOC Community disclosure periods per RCW 9.94A.729 (Earned Release Time-Risk Assessments) and RCW 72.09.270 (Individual Reentry Plan).
- 2) The City will inform the DOC when inspections of homes of vendors with a Provisional Rental License are complete and the violations are repaired.
  - a) Once the City receives a third party Certificate of Inspection or completes a directly contracted inspection, the City will notify the DOC within ten (10) working days.

- b) Housing vendors can submit the Certificate of Inspections to both the City and DOC concurrently to expedite re-engagement in the housing program.

#### **Participant Education and Outreach**

- 1) DOC will facilitate a forum for Housing Vendors as necessary.
- 2) The City will provide training and outreach services at the DOC housing providers' forum as requested.
- 3) The City will participate, as requested in resource fairs at Corrections Facilities.

#### **Additional DOC and City Roles and Commitments**

- 1) The DOC will continue existing requirements that Community Correction Officers (CCO's) perform in-home visits with tenants under supervision, to verify that the tenants are living in the home as required by DOC's policy.
- 2) The DOC CCO's may bring questions/concerns about the safety or conditions of housing to the DOC Regional Housing Specialist, who will forward questions/concerns to the City.
- 3) The DOC will provide the City access to the list of DOC Housing Vendors within the City of Tacoma.
- 4) The City will continue to have a main point of contact, as outlined below, for DOC's communication and inquiries.
- 5) DOC will continue to have a main point of contact, as outlined below, for City communications and inquiries.
- 6) DOC will require the Regional Housing Specialist or other appropriate staff assigned to Tacoma to complete the Crime Free Housing training course.
- 7) The City will perform an annual review of the vendor list to:
  - a) Identify the number and nature of code enforcement violations in the prior two (2) years, and provide the findings to the DOC. Based on the severity and nature of the incidents, DOC will evaluate the suitability of the vendor's ongoing participation in the ERD Housing Voucher Program.
  - b) Evaluate adequate business licensing, take appropriate enforcement action, and notify DOC of any vendors without appropriate license. In such circumstances, the DOC will discontinue referrals to offenders until appropriate licensing is restored.

- c) Identify a proactive exterior code enforcement strategy based on available resources.

### **Contract/MOU Representatives**

- 1) The Department's Contract Manager for this MOU shall be Robert J. Story, Housing Program Administrator, Telephone: (360) 449-7661, Email: [rjstory@DOC1.wa.gov](mailto:rjstory@DOC1.wa.gov). The Contract Manager shall be responsible for monitoring the performance of the City of Tacoma, the approval of actions by the City of Tacoma, and the acceptance of any reports by the Contractor.
- 2) The City of Tacoma's Representative for this contract shall be Keith Williams, Code Inspector Supervisor, Neighborhood and Community Services Director, Telephone (253) 573-2492, Email: [Kwilliams@cityoftacoma.org](mailto:Kwilliams@cityoftacoma.org). The City of Tacoma's Representative will be the contact person for all communications regarding the conduct of work under this contract.

### **Miscellaneous provisions**

- 1) Indemnification. Each Party shall indemnify, defend, and hold harmless the other, its officials, officers, agents, employees, from any and all claims, demands, damages, lawsuits, liabilities, losses, liens, expenses and costs arising out of the subject matter of this Memorandum; provided that this provision shall not apply to the extent that damage or injury results from the fault of a party, or its officers, agents, or employees. The term "fault" as used herein shall have the same meaning as set forth in RCW 4.22.015, as that statute may hereafter be amended.
- 2) Amendments. Any revision to this Agreement shall require the prior written consent of both parties.

### **CITY OF TACOMA**

### **DEPARTMENT OF CORRECTIONS**

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Linda C. Stewart      DATE  
Director, Neighborhood and Community Services

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Debra J. Eisen, Contracts Administrator  
(Printed Name/Title)      DATE

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Debra E. Casparian      DATE  
Deputy City Attorney