



Rental Housing Code

City of Tacoma | Office of Equity and Human Rights

Committee of the Whole
November 6, 2018





Agenda



- Overview
- Issues
- Efforts
- Proposed Code
- Next Steps



Overview



- Expansion of Tenant Protections
 - Distribution of Information
 - Deposit Requirements
 - Notice Requirements
 - Retaliation Prohibited
- Implementation of Tenant Relocation Assistance
 - Eligibility and Amounts
- Compliance and Enforcement
- Source of Income
 - Adding as Protected Class under TMC 1.29



Issues



- Tacoma's rental market is drastically changing
- Current State law does not adequately address this change
- Current City Tenant Rights Code offers limited protections
- City has need for more proactive approaches to prevent increases in homeless population



Efforts to Develop Revised Code



- Researched other jurisdictions with established rental housing codes
- Gathered feedback from both landlord and tenant organizations and reviewed rental code options
 - Local for-profit landlords, non-profit landlords, tenants and legal representation for landlords and tenants
- Formed stakeholder group with both internal and external members
 - Conducted five formal meetings
 - Reviewed, revised, and developed multiple options for potential draft code adjustments



Distribution of Information: 1.95.030

Proposed Rental Housing Code



- Landlord required to:
 - At time of application, provide tenant resources to access information related to code enforcement action on rental property
 - When rental agreement is offered, provide summary of related state and local laws
 - During tenancy, provide summary and resources to tenants when serving notices that can lead to eviction



Deposit Requirements: 1.95.040

Proposed Rental Housing Code



- Deposit Requirements:
 - Rental agreement must be in writing
 - Move-in condition checklist required
 - If requested, landlord must allow tenant to make installment payments on security deposit, non-refundable fees, and last month's rent



Notice Requirements: 1.95.050, 60

Proposed Rental Housing Code



- Notice Requirement- Reasonable Accommodation Request
 - Landlord shall review and comply with all reasonable accommodation requests related to disability related to service of notices
- Notice of Rent Increase
 - 60-day notice for increase of 10% or more in the preceding 12-month period
 - Current State law requires a 30-day notice with no caps on the amount of increase (RCW 59.18.140)



Notice Requirements: 1.95.070

Proposed Rental Housing Code



- 120-Day Notice
 - If property is being demolished, substantially rehabilitated or change in use
 - Month to month rental agreement
 - Four or less dwelling units- 60-day notice required
- 60-Day No Cause Notice
 - Month to month tenancy
 - Current State Law requires a 20-day notice



Retaliation Prohibited: 1.95.100

Proposed Rental Housing Code



- Landlord cannot take adverse action against tenant within 90 days of exercising rights under RCW 59.18.250 (terminate tenancy, raise rent or reduce services)



Tenant Relocation Assistance : 1.95.080

Proposed Rental Housing Code



- Low-Income tenants eligible (50% of median income adjusted for family size in Tacoma)
 - Authorized by RCW 59.18.440
 - If property is being demolished, substantially rehabilitated or change in use
 - \$2,000 in relocation funds
 - 50/50 split between City and landlord (City portion subject to appropriation)
 - Relocation amount can be adjusted annually



Tenant Relocation Assistance : 1.95.090

Proposed Rental Housing Code



- All tenants eligible
 - Authorized by RCW 59.18.085
 - Condemned or unlawful dwelling
 - Violation of TMC 2.01
 - The greater of \$2,000 or three times month rent
 - Landlord is fully responsible

Compliance and Enforcement: 1.95.110

Proposed Rental Housing Code



- \$500 penalty(per unit) for first violation and \$1,000 (per unit) for each subsequent violation in three-year period:
 - Distribution of Information
 - Deposit requirements/Installment payments
 - Reasonable Accommodation
 - Rent Increase
- \$250 per day(per unit) for first ten days of noncompliance and \$500 per day beyond ten days of noncompliance:
 - Notice to vacate
 - Tenant Relocation Assistance
 - Retaliation



Source of Income: 1.29.040

Proposed Rental Housing Code



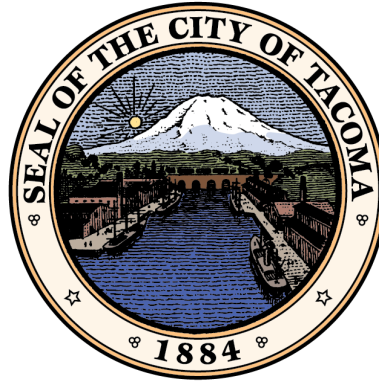
- Source of income protection would prohibit discrimination against renters who use alternative sources of income to pay for housing.
- “Source of income” includes benefits or subsidy programs including:
 - housing assistance,
 - public assistance,
 - emergency rental assistance,
 - veterans benefits,
 - social security, supplemental security income or other retirement programs
 - other programs administered by any federal, state, local, or nonprofit entity



Next Steps



- City Council Consideration – First Reading
November 13, 2018
- Ordinance Effective Date - February 1, 2019
- Additional Education & Outreach



Rental Housing Code

City of Tacoma | Office of Equity and Human Rights

Committee of the Whole
November 6, 2018



Compliance and Enforcement: 1.95.110

Proposed Rental Housing Code



Compliance and Enforcement-1.95.110

- Enforcement Model (Similar to Employment Standards):
 - Allows for conciliation through settlement agreement
 - Allows for the request of records from landlord
 - Notice of Violation and Advisory Letter
 - 90 Day Rebuttable Presumption of Violation
- Penalties:
 - Either \$250, \$500, and \$1,000 (per unit) depending on the violation
 - Director has authority to waive or reduce penalty
- Administrative Review and Hearing Examiner Appeal