

Amendment 2
to
CB 119787 – Limited use of eviction history
Sponsor: CM Morales
Adding a rebuttable presumption

Section 14.09.026: Amend the following as shown:

A. No landlord may take an adverse action against a prospective or existing tenant or occupant or a member of the tenant or occupant’s household based on any eviction history occurring during or within six months after the end of the civil emergency proclaimed by Mayor Durkan on March 3, 2020 unless the unlawful detainer action or action on a termination notice is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant’s or landlord’s household members, subject to the exclusions and legal requirements in subsections 14.09.115.A, 14.09.115.B, 14.09.115.E, and 14.09.115.F. For purposes of this subsection 14.09.026.A, if eviction history that the landlord is not permitted to consider appears in information given to a landlord and a landlord takes an adverse action against the person who is the subject of the eviction history, there is a rebuttable presumption that the adverse action was taken on the basis of eviction history that the landlord is not permitted to consider under this subsection 14.09.026.A.

Effect: This amendment adds a rebuttable presumption in favor of a tenant if the landlord sees information they are not permitted to consider and takes an adverse action.