



SEATTLE CITY COUNCIL

Legislative Summary

Res 31861

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Title: A RESOLUTION recognizing the harms that evictions from housing have on tenants and marginalized communities and describing the City Council's plan to help avoid and mitigate those harms.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold, O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	01/15/2019	sent for review	Council President's Office			
	Action Text: The Resolution (Res) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	01/16/2019	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Resolution (Res) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	Notes:						
1	City Council	01/22/2019	referred	Civil Rights, Utilities, Economic Development, and Arts Committee			

CITY OF SEATTLE

RESOLUTION 31861

A RESOLUTION recognizing the harms that evictions from housing have on tenants and marginalized communities and describing the City Council’s plan to help avoid and mitigate those harms.

WHEREAS, the Seattle Women’s Commission partnered with the Housing Justice Project to study the causes, processes, and effects of evictions in Seattle and how the housing crisis disproportionately impacts marginalized communities; and

WHEREAS, on September 21, 2018, the Seattle Women’s Commission presented its study (“Losing Home”) to the City Council’s Civil Rights, Utilities, Economic Development & Arts committee (CRUEDA); and

WHEREAS, *Losing Home* found that 51.7 percent of tenants in eviction filings were people of color and 31.2 percent were Black, 4.5 times more than the Black population in Seattle; and

WHEREAS, women were more likely to be evicted over small amounts of money—of single-tenant household cases where a tenant owed \$100 or less, 81 percent were women; and

WHEREAS, based on the high rates of poverty, housing discrimination, and homelessness in the transgender community and the high proportion of the homeless youth population who are LGB youth, it is likely that eviction disproportionately impacts the LGBTQ community; and

WHEREAS, there is a disproportionate rate of seniors experiencing evictions; while 26.6 percent of HJP’s clients were 55 years or older, the general population is only comprised of 21.4 percent of individuals 55 and older; and

1 WHEREAS, almost 87 percent of evictions were for nonpayment of rent, and of those, 52.3
2 percent were for nonpayment of one month or less of rent; and
3 WHEREAS, of eviction cases filed by private landlords, 9.2 percent were for rental units renting
4 for less than \$750 in monthly rent; and
5 WHEREAS, for cases in which tenants were behind in rent by one month or less, 70.2 percent of
6 eviction notices were served on or before the 15th of the month, and 27.8 percent of
7 eviction notices were served on or before the 6th of the month, making it unlikely that a
8 tenant would have enough time to catch up on back rent before the eviction process
9 began; and
10 WHEREAS, *Losing Home* found landlords passed their attorneys' fees and court costs onto the
11 tenant, often costing well over \$700 - even in cases where the tenant owed far less, and
12 that these costs usually appeared on credit reports, making it more difficult for tenants to
13 find housing, exacerbating Seattle's homelessness crisis; and
14 WHEREAS, the attorneys' fees, court costs, and other charges the tenant owes after eviction are
15 often paid for by through Rapid Rehousing and other programs to help the tenant find
16 housing, drastically increasing the cost of the housing crisis; and
17 WHEREAS, from March to May 2018, a sample of the tenants evicted in 2017 were surveyed;
18 after being evicted, 37.5 percent became completely unsheltered, 25 percent stayed in a
19 shelter or transitional housing, and 25 percent stayed with family or friends; and
20 WHEREAS, tenants commonly reported both mental health issues, such as stress and depression,
21 and physical health issues, such as heart conditions, associated with their eviction; and
22 WHEREAS, housing instability during childhood has been attributed to an increased likelihood
23 of negative health and educational effects; and

1 WHEREAS, to respond to *Losing Home* recommendations “Prevent Evictions from Substandard
2 Properties,” and “Create a Legal Path for Tenants to Enforce their Rights in Court” the
3 Council, during the 2019-2020 budget process, adopted Statement of Legislative Intent
4 33-5-A-2 asking the Seattle Department of Construction and Inspections (SDCI) to
5 recommend ways that a proceeding might be designed to resolve issues when a notice of
6 eviction related to habitability issues is filed; and

7 WHEREAS, to respond to *Losing Home* recommendation “Increase Coordinated Funds for Legal
8 Defense and Tenant Outreach Funds,” the Council, during the 2019-2020 budget process,
9 adopted Green Sheet 33-4-A-2, and Green Sheet 33-6-B-1, which added funds solely for
10 contracts with community organizations that provide tenant services and outreach with
11 low income renters, communities of color, LGBTQ renters, those with limited English
12 proficiency, and immigrant and refugee communities as well as funding for legal services
13 to tenants facing eviction; and

14 WHEREAS, to respond to *Losing Home* recommendation “Centralize the Process for Obtaining
15 Assistance in One Place,” and recommendation “Expand Courthouse-Based Resources,”
16 the Council, during the 2019-2020 budget process, passed Statement of Legislative Intent
17 15-9-A-1 requesting a design for eviction prevention rental subsidy programs, including a
18 “one-stop shop” for eviction services and an assessment whether services or outreach
19 providers should have a courthouse presence; and

20 WHEREAS, to respond to *Losing Home* recommendation “Increase Subsidies to Tenants At
21 Risk of Eviction” the Council, during the 2019-2020 budget process, passed Green Sheet
22 15-7-B-1, to provide additional financial assistance to prevent evictions and utility shut-
23 offs, and assist with move-in deposits; and

1 WHEREAS, to address *Losing Home* recommendation “Build More Housing for Low- and No-
2 Income Residents, Especially Families” the Council, during the 2019-2020 budget
3 process, passed Statement of Legislative Intent 1-3-A-2, on the feasibility of issuing
4 bonds for affordable housing; and

5 WHEREAS, to address *Losing Home* recommendations “Provide Courts with More Flexibility
6 When Determining if an Eviction Is Warranted,” “Increase Time Period to Cure
7 Nonpayment of Rent “and “Strengthen the Just Cause Eviction Ordinance,” The City of
8 Seattle’s 2019 Legislative Agenda includes specific language to support state-level
9 changes to amend language in RCW 59.18.220 that limits Seattle’s ability to extend the
10 City-level JCEO to tenants at the end of their lease term as well as reform of the unlawful
11 detainer process by increasing the time period to cure non-payment of rent and giving the
12 courts the ability to stay writs of restitution upon good cause; NOW, THEREFORE,

13 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

14 Section 1. The City Council will explore strategies described in *Losing Home* regarding
15 how to improve the eviction process and prevent more evicted tenants from becoming homeless.

16 Section 2. In addition to implementation of the 2018-2019 Budget actions referenced in
17 this resolution and efforts to support the City of Seattle’s 2019 State Legislative Agenda, the City
18 Council also plans to examine legislative actions over the next year to address the causes of
19 eviction and associated difficulties tenants face, described below:

20 A. The financial hardship for tenants experiencing domestic violence who are held liable
21 for damages caused by a perpetrator of domestic violence.

1 B. The lack of flexibility tenants have to avoid eviction when faced with emergencies
2 such as temporary unemployment or reduced income, medical emergencies, hospitalization,
3 deaths in the family, domestic violence, and large rent increases.

4 C. The high default rate for evictions suggests that tenants do not understand the eviction
5 process or the effect of mutual termination agreements and tenant rights, or are unaware of free
6 legal resources available.

7 D. Non-rent charges such as late fees, court costs, and attorney's fees can add a
8 substantial burden to the tenant's hardships in paying rent.

9 E. Tenants often need to live with a roommate to afford rent, but some leases prohibit or
10 limit the number of roommates; landlords have discretion to reject roommates regardless of
11 whether the rejection is reasonable; and landlords can impose extra fees and strict screening
12 criteria for roommates.

13 F. The fees for terminating a lease before the end of a term are often high and can
14 accumulate even though the market indicates re-renting a unit is not difficult and a landlord is
15 required to make a reasonable effort to re-rent the unit.

16 G. Even if the tenant has good cause to be late on the payment of rent, courts generally do
17 not exercise judicial discretion to prevent evictions, even if the tenants have all of the money
18 owed at the time of the hearing.

19 Section 3. The City Council will also explore, over a longer term, solutions to address the
20 following issues:

21 A. Tenants in need of additional support for eviction proceedings because of
22 physical or mental health disorders or hospitalizations do not have that support;

1 B. Tenants living in a unit when the tenant of record dies generally do not have
2 any right to remain in the unit; and

3 C. The reporting of landlord-tenant debt in credit reports or otherwise can make it
4 more difficult for tenants to obtain housing.

1 Adopted by the City Council the 4th day of February, 2019,

2 and signed by me in open session in authentication of its adoption this 4th day of

3 February, 2019.

4 

5 President _____ of the City Council

6 Filed by me this 4th day of February, 2019.

7 

8 Monica Martinez Simmons, City Clerk

9 (Seal)

