

Amendment 3

to

CB 120090 – Right of First Refusal

Sponsor: CMs Sawant and Morales

Making explicit that nothing prohibits landlords and tenants from agreeing on a lease more than 90 days before expiration of the tenancy for a specified time.

Amend 7.24.030.J as follows:

J. Right of first refusal

1. Except as provided in subsection 7.24.030.J.2, the landlord must offer the tenant for whom the tenancy for a specified time is expiring a new tenancy on reasonable terms for the same rental unit. The landlord must make that offer between 60 and 90 days before the expiration of the tenancy for a specified time and before the landlord offers tenancy to any third party. The landlord must deliver a proposed rental agreement to the tenant in accordance with RCW 59.12.040 and give the tenant 30 days to accept or decline the proposed rental agreement. There shall be a rebuttable presumption that the landlord failed to offer a new tenancy on reasonable terms if: the existing tenant declines to enter the proposed rental agreement; and, within 30 days after the tenant has vacated, the landlord lists the unit for rent on terms materially more favorable to a prospective tenant.

2. A landlord may decline to offer a new tenancy under subsection 7.24.030.J.1 if:

a. The tenant, at least 60 days before the expiration of the tenancy for a specified time, provides the landlord written notice that the tenant intends to vacate voluntarily after the rental agreement expires;

b. The landlord asserts a just cause under subsection 22.206.160.C.1 and complies with subsection 7.24.030.J.3; ~~or~~

Asha Venkataraman

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c. The existing rental agreement provides for the tenancy to continue as a month-to-month tenancy after the agreement expires; or

d. More than 90 days before the expiration of the tenancy for a specified time, the landlord and tenant agree to a new rental agreement for the same rental unit, with the new tenancy starting on the day after the expiration of the previous tenancy for a specified time.

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Effect: This amendment would make clear that landlords and tenants do not need to go through the process laid out in this legislation if they agree on a new rental agreement for the same unit, with the tenancy starting the day after the expired tenancy, more than 90 days before the tenancy for a specified time expires.