



Legislation Text

File #: CB 118993, Version: 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to residential rental properties; amending Sections 7.24.060, 7.24.070 and 7.24.080 of the Seattle Municipal Code; requiring that landlords provide information to tenants about how to register to vote and how to update voter registration information.

WHEREAS, approximately 11 percent of the U.S. population relocated between 2015 and 2016 per the U.S.

Census Bureau, Current Population Survey, 2016 Annual Social and Economic Supplement; and

WHEREAS, approximately 23 percent of the U.S. population who are renters relocated between 2015 and 2016

per the U.S. Census Bureau, Current Population Survey, 2016 Annual Social and Economic

Supplement; and

WHEREAS, studies show that there is low voter participation among persons who have recently relocated; and

WHEREAS, 41 percent of renters who had lived in their home for more than five years reported that they voted

in 2014 per the U.S. Census Bureau, Current Population Survey, November 2014; and

WHEREAS, only 21 percent of renters who had lived in their home for less than one year reported that they

voted in 2014 per the U.S. Census Bureau, Current Population Survey, November 2014; and

WHEREAS, providing voter registration information to a tenant when a rental agreement is offered to a tenant

may increase voter participation among tenants who have recently relocated; and

WHEREAS, landlords are uniquely positioned because of the landlord-tenant relationship to provide voter

registration information to tenants who have recently moved to Seattle or within Seattle; and

WHEREAS, increasing voter participation is a proper exercise of the police power to protect and promote the

health, safety, and welfare of the general public; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 7.24.060 of the Seattle Municipal Code, last amended by Ordinance 125222, is amended as follows:

7.24.060 Private right of action

* * *

B. Remedies for tenants if landlord fails to comply

1. If a landlord fails to comply with the requirements of subsections 7.24.080.A₂ ~~((€))~~ 7.24.080.B, or 7.24.080.C and such failure was not caused by the tenant, the tenant may terminate the rental agreement by written notice pursuant to law.

2. In addition to the remedy provided by subsection 7.24.060.B.1, if a landlord fails to comply with the requirements of Section 7.24.080, the tenant may recover in a civil action from the landlord actual damages, attorney fees, and a penalty of up to \$500. If a court determines that the landlord deliberately failed to comply with the requirements of Section 7.24.080, the penalty may be up to \$1,000.

Section 2. Section 7.24.070 of the Seattle Municipal Code, last amended by Ordinance 125222, is amended as follows:

7.24.070 ~~((Summaries of))~~ Information packets for landlords and tenants ~~((rights))~~

A. The Department shall, as soon as practicable after passage of the ordinance introduced as Council Bill ~~((418817))~~ 118993, and as the Department shall deem necessary thereafter, prepare a packet that includes:

1. ~~((a))~~ A summary of this ~~((chapter))~~ Chapter 7.24, and of the Housing and Building Maintenance Code, the Tenant Relocation Assistance Ordinance, the Condominium Conversion Ordinance, the Cooperative Conversion Ordinance, the Mobile Homes and Mobile Home Parks Ordinance, the Third Party Billing Ordinance, the Rental Registration and Inspection Ordinance, and the Washington State Residential Landlord Tenant Act, describing the respective rights, obligations, and remedies of landlords and tenants

~~thereunder((7)) ; and ((shall make such summaries available at cost for public inspection and copying. The summaries prepared by the Department shall serve as informational documents only, and nothing therein shall be construed as binding on or affecting any judicial determination of the rights and responsibilities of landlords and tenants, nor shall the Department be liable for any misstatement or misinterpretation of the applicable laws.))~~

2. Information describing how to register to vote and how to update voter registration, including updates to reflect a person's new address. The information shall include a voter registration form.

B. The Department shall make the summary described in subsection 7.24.070.A.1 available to the public at cost. The Department shall make the information and voter registration form described in subsection 7.24.070.A.2 available to landlords at no cost, and to the public at cost.

C. The packet prepared by the Department includes informational documents only, and nothing in the summaries therein shall be construed as binding on or affecting any judicial determination of the rights and responsibilities of landlords and tenants, nor is the Department liable for any misstatement or misinterpretation of the applicable laws.

Section 3. Section 7.24.080 of the Seattle Municipal Code, last amended by Ordinance 125222, is amended as follows:

7.24.080 Distribution of ~~((summaries))~~ information packets by landlord required

A. A copy of ~~((summaries))~~ the packet described in Section 7.24.070 that includes the summary prepared by the Director pursuant to (Section 7.24.070)) subsection 7.24.070.A.1 that pertains to the type of tenancy or activity described in ((a)) that summary, shall be provided to any tenant or prospective tenant by or on behalf of a landlord when such rental agreement is offered, whether or not such agreement is for a new or renewal rental agreement. For a renewal of a rental agreement, the landlord may provide the copy of the ~~((summaries))~~ summary to the tenant electronically. A landlord must distribute the ~~((summaries))~~ summary annually to tenants having month-to-month tenancies.

B. A copy of the packet described in Section 7.24.070 that includes the information and voter registration form described in subsection 7.24.070.A.2 shall be provided by a landlord to any tenant or prospective tenant when a new rental agreement is offered by the landlord.

C. ~~((Where))~~ If there is an oral agreement, the landlord shall give the tenant copies of the ((summaries)) packet described in Section 7.24.070 either before entering into the oral agreement or as soon as reasonably possible after entering into the oral agreement.

D. ~~((For existing tenants, landlords))~~ Landlords shall, within 30 days after the Director makes the packet described in Section 7.24.070 available, ((or within a reasonable time thereafter,)) distribute ((current copies of)) the ((summaries)) packet ((described in Section 7.24.070)) to existing tenants. After passage of the ordinance introduced as Council Bill 118993, the Department shall update the packet to include the information described in subsection 7.24.070.A.2 and shall notify landlords that the updated packet is available for distribution to existing tenants.

Section 3. The City Council requests that the Seattle Department of Construction and Inspections (SDCI) work with King County Elections to identify opportunities to track voter registrations that result from implementation of the ordinance introduced as Council Bill 118993. This could include developing a unique web address for online registrations, created by King County, and/or providing a customized voter registration form that can be tracked, to be included in the landlord-tenant information packets prepared by SDCI. This information would be used to evaluate the impact of this legislation.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2017, and signed by

me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)