



Legislation Text

File #: CB 119606, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to rental properties; restricting a landlord's ability to limit the number of persons residing in a rental unit; prohibiting the use of conditions that are applied to persons residing in a rental unit who are not tenants; and amending Sections 7.24.020 and 7.24.030 of, and adding new Sections 7.24.031 and 7.24.032 to, the Seattle Municipal Code.

WHEREAS, on February 4, 2019, Council adopted Resolution 31861, which outlined harms that evictions from housing have on tenants and marginalized communities; and

WHEREAS, Resolution 31861 prioritized exploration of solutions for seven problems identified in the Seattle Women's Commission and Housing Justice Project report "Losing Home: The Human Cost of Eviction in Seattle"; and

WHEREAS, Resolution 31861 identified one of the obstacles to remaining in housing is a tenant's need to live with a roommate to afford rent, but tenants are often restricted from doing so under their lease agreements, because of a landlord's discretion to reject a roommate, and due to additional fees and screening criteria for roommates; and

WHEREAS, the resolution also identified the problems faced by renters when a tenant on a lease or rental agreement dies and the remaining occupants do not have any right to remain in the rental unit; and

WHEREAS, these problems can contribute to financial instability that ultimately may lead to eviction; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 7.24.020 of the Seattle Municipal Code, last amended by Ordinance 125840, is

amended as follows:

7.24.020 Definitions

As used in this Chapter 7.24:

"Department" means the Seattle Department of Construction and Inspections or its successor.

"Director" means the Director of the Seattle Department of Construction and Inspections or the Director's designee.

"Family or household members" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons 16 years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons 16 years of age or older with whom a person 16 years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

* * *

"Rental agreement" means a "rental agreement" as defined in and within the scope of RCW 59.18.030 and RCW 59.18.040 of the Residential Landlord Tenant Act (RLTA) in effect at the time the rental agreement is executed or, if the agreement is not written, at the time the landlord and tenant enter into agreement for rental of the unit. At the time of the passage of the ordinance codified in this chapter, the RLTA defined "rental agreement" as "all agreements which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit."

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Section 2. Section 7.24.030 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

* * *

H. Any rental agreement entered into after the effective date of the ordinance introduced as Council Bill 119606 shall be deemed to allow occupancy by the tenants, a tenant's family or household members, an additional person who is not the tenant's family or household member, and the additional person's family or household members, provided the total number of persons does not exceed occupancy limits established by federal, state, or local law. If one of the tenants or persons who is not the tenant vacates or abandons the unit, a landlord shall not reduce the number of persons allowed to occupy the unit.

Section 3. A new Section 7.24.031 is added to the Seattle Municipal Code as follows:

7.24.031 Conditions of occupancy for persons occupying a unit with a tenant

Landlords shall not impose conditions on a person other than the tenant, including but not limited to using additional screening criteria that are beyond those imposed on a tenant to occupy a unit.

Section 4. A new Section 7.24.032 is added to the Seattle Municipal Code as follows:

7.24.032 Exemptions

Subsection 7.24.030.H, subsection 7.24.030.I, and Section 7.24.031 shall not apply to denial of occupancy made by landlords of federally assisted housing subject to federal regulations that require denial of tenancy, including but not limited to when any member of the household is subject to a lifetime sex offender registration requirement under a state sex offender registration program or has been convicted of manufacturing or producing methamphetamine on the premises of federally-assisted housing.

Section 5. Sections 1, 2, 3, and 4 of this ordinance shall take effect and be in force on January 1, 2020.

Section 6. 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 _____, 2019, and signed by
me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)