



1 may not evict residential tenants from rental housing units if the units are not registered  
2 with the Department of Planning and Development as required by SMC 22.214.040,  
3 regardless of whether just cause for eviction may exist.

4 The reasons for termination of tenancy listed below, and no others, shall constitute just  
5 cause under this [section 22.206.160](#)

6 a.

7 The tenant fails to comply with a three day notice to pay rent or vacate pursuant to  
8 RCW 59.12.030(3); a ten day notice to comply or vacate pursuant to RCW  
9 59.12.030(4); or a three day notice to vacate for waste, nuisance (including a  
10 drug-related activity nuisance pursuant to RCW Chapter 7.43) or maintenance of  
11 an unlawful business or conduct pursuant to RCW 59.12.030(5);

12 b.

13 The tenant habitually fails to pay rent when due which causes the owner to notify  
14 the tenant in writing of late rent four or more times in a 12 month period;

15 c.

16 The tenant fails to comply with a ten day notice to comply or vacate that requires  
17 compliance with a material term of the rental agreement or that requires  
18 compliance with a material obligation under RCW 59.18;

19 d.

20 The tenant habitually fails to comply with the material terms of the rental  
21 agreement which causes the owner to serve a ten day notice to comply or vacate  
22 three or more times in a 12 month period;

23 e.

24 The owner seeks possession so that the owner or a member of his or her  
25 immediate family may occupy the unit as that person's principal residence and no  
26 substantially equivalent unit is vacant and available in the same building.  
27 "Immediate family" shall include the owner's domestic partner registered pursuant  
28 to Section 1 of Ordinance 117244<sup>2</sup> or the owner's spouse, parents, grandparents,  
children, brothers and sisters of the owner, of the owner's spouse, or of the  
owner's domestic partner. There shall be a rebuttable presumption of a violation  
of this subsection 22.206.160.C.1.a if the owner or a member of the owner's  
immediate family fails to occupy the unit as that person's principal residence for  
at least 60 consecutive days during the 90 days immediately after the tenant  
vacated the unit pursuant to a notice of termination or eviction using this  
subparagraph as the cause for eviction;

f.

The owner elects to sell a single-family dwelling unit and gives the tenant at least  
60 days written notice prior to the date set for vacating, which date shall coincide  
with the end of the term of a rental agreement, or if the agreement is month to  
month, with the last day of a monthly period. For the purposes of this [section](#)

1 [22.206.160](#), an owner "elects to sell" when the owner makes reasonable attempts  
2 to sell the dwelling within 30 days after the tenant has vacated, including, at a  
3 minimum, listing it for sale at a reasonable price with a realty agency or  
4 advertising it for sale at a reasonable price in a newspaper of general circulation.  
5 There shall be a rebuttable presumption that the owner did not intend to sell the  
6 unit if:

7 1)

8 Within 30 days after the tenant has vacated, the owner does not list the  
9 single-family dwelling unit for sale at a reasonable price with a realty agency  
10 or advertise it for sale at a reasonable price in a newspaper of general  
11 circulation, or

12 2)

13 Within 90 days after the date the tenant vacated or the date the property was  
14 listed for sale, whichever is later, the owner withdraws the rental unit from  
15 the market, rents the unit to someone other than the former tenant, or  
16 otherwise indicates that the owner does not intend to sell the unit;

17 g.

18 The tenant's occupancy is conditioned upon employment on the property and the  
19 employment relationship is terminated;

20 h.

21 The owner seeks to do substantial rehabilitation in the building; provided that, the  
22 owner must obtain a tenant relocation license if required by [Chapter 22.210](#) and at  
23 least one permit necessary for the rehabilitation, other than a Master Use Permit,  
24 before terminating the tenancy;

25 i.

26 The owner (i) elects to demolish the building, convert it to a cooperative, or  
27 convert it to a nonresidential use; provided that, the owner must obtain a tenant  
28 relocation license if required by [Chapter 22.210](#) and a permit necessary to  
demolish or change the use before terminating any tenancy, or (ii) converts the  
building to a condominium provided the owner complies with the provisions of  
Sections [22.903.030](#) and [22.903.035](#)

j.

The owner seeks to discontinue use of a housing unit unauthorized by [Title 23](#)  
after receipt of a notice of violation thereof. The owner is required to pay  
relocation assistance to the tenant(s) of each such unit at least two weeks prior to  
the date set for termination of the tenancy, at the rate of:

1) \$2,000 for a tenant household with an income during the past 12 months at  
or below 50 percent of the County median income, or

2)

Two months' rent for a tenant household with an income during the past 12 months above 50 percent of the County median income;

k.

The owner seeks to reduce the number of individuals residing in a dwelling unit to comply with the maximum limit of individuals allowed to occupy one dwelling unit, as required by [Title 23](#), and:

1)

a)

The number of such individuals was more than is lawful under the current version of [Title 23](#) or Title 24 but was lawful under [Title 23](#) or 24 on August 10, 1994;

b)

That number has not increased with the knowledge or consent of the owner at any time after August 10, 1994; and

c)

The owner is either unwilling or unable to obtain a permit to allow the unit with that number of residents.

2)

The owner has served the tenants with a 30 day notice, informing the tenants that the number of tenants exceeds the legal limit and must be reduced to the legal limit,

3)

After expiration of the 30 day notice, the owner has served the tenants with and the tenants have failed to comply with a ten day notice to comply with the limit on the number of occupants or vacate, and

4)

If there is more than one rental agreement for the unit, the owner may choose which agreements to terminate; provided that, the owner may either terminate no more than the minimum number of rental agreements necessary to comply with the legal limit on the number of occupants, or, at the owner's option, terminate only those agreements involving the minimum number of occupants necessary to comply with the legal limit;

l.

1)

The owner seeks to reduce the number of individuals who reside in one dwelling unit to comply with the legal limit after receipt of a notice of violation of the [Title 23](#) restriction on the number of individuals allowed to reside in a dwelling unit, and:

a)

1 The owner has served the tenants with a 30 day notice, informing the  
2 tenants that the number of tenants exceeds the legal limit and must be  
3 reduced to the legal limit; provided that, no 30 day notice is required if  
the number of tenants was increased above the legal limit without the  
knowledge or consent of the owner;

4 b)

5 After expiration of the 30 day notice required by subsection  
6 22.206.160.1.1.a above, or at any time after receipt of the notice of  
7 violation if no 30 day notice is required pursuant to subsection  
8 22.206.160.1.1.a, the owner has served the tenants with and the tenants  
9 have failed to comply with a 10 day notice to comply with the  
10 maximum legal limit on the number of occupants or vacate; and

11 c)

12 If there is more than one rental agreement for the unit, the owner may  
13 choose which agreements to terminate; provided that, the owner may  
14 either terminate no more than the minimum number of rental  
15 agreements necessary to comply with the legal limit on the number of  
16 occupants, or, at the option of the owner, terminate only those  
17 agreements involving the minimum number of occupants necessary to  
18 comply with the legal limit.

19 2)

20 For any violation of the maximum legal limit on the number of individuals  
21 allowed to reside in a unit that occurred with the knowledge or consent of the  
22 owner, the owner is required to pay relocation assistance to the tenant(s) of  
23 each such unit at least two weeks prior to the date set for termination of the  
24 tenancy, at the rate of:

25 a)

26 \$2,000 for a tenant household with an income during the past 12 months  
27 at or below 50 percent of the county median income, or

28 b)

Two months' rent for a tenant household with an income during the past  
12 months above 50 percent of the county median income;

m.

The owner seeks to discontinue use of an accessory dwelling unit for which a  
permit has been obtained pursuant to Sections [23.44.041](#) and [23.45.545](#) after  
receipt of a notice of violation of the development standards provided in those  
sections. The owner is required to pay relocation assistance to the tenant  
household residing in such a unit at least two weeks prior to the date set for  
termination of the tenancy, at the rate of:

1) 1)

1                   \$2,000 for a tenant household with an income during the past 12 months at  
2                   or below 50 percent of the county median income, or

3                   2)

4                   Two months' rent for a tenant household with an income during the past 12  
5                   months above 50 percent of the county median income;

6                   n.

7                   An emergency order requiring that the housing unit be vacated and closed has  
8                   been issued pursuant to [Section 22.206.260](#) and the emergency conditions  
9                   identified in the order have not been corrected;

10                  o.

11                  The owner seeks to discontinue sharing with a tenant of the owner's own housing  
12                  unit, i.e., the unit in which the owner resides, seeks to terminate the tenancy of a  
13                  tenant of an accessory dwelling unit authorized pursuant to Sections [23.44.041](#)  
14                  and [23.45.545](#) that is accessory to the housing unit in which the owner resides or  
15                  seeks to terminate the tenancy of a tenant in a single-family dwelling unit and the  
16                  owner resides in an accessory dwelling unit on the same lot. This subsection  
17                  22.206.160.C.1.o does not apply if the owner has received a notice of violation of  
18                  the development standards of [Section 23.44.041](#). If the owner has received such a  
19                  notice of violation, subsection 22.206.160.C.1.m applies;

20                  p.

21                  A tenant, or with the consent of the tenant, his or her subtenant, sublessee,  
22                  resident or guest, has engaged in criminal activity on the premises, or on the  
23                  property or public right-of-way abutting the premises, and the owner has specified  
24                  in the notice of termination the crime alleged to have been committed and the  
25                  general facts supporting the allegation, and has assured that the Department of  
26                  Planning and Development has recorded receipt of a copy of the notice of  
27                  termination. For purposes of this subsection 22.206.160.C.1.p a person has  
28                  "engaged in criminal activity" if he or she:

1                   1)

2                   Engages in drug-related activity that would constitute a violation of RCW  
3                   Chapters 69.41, 69.50 or 69.52, or

4                   2)

5                   Engages in activity that is a crime under the laws of this state, but only if the  
6                   activity substantially affects the health or safety of other tenants or the  
7                   owner.

8                   Section 2. Subsection 22.214.075 A of the Seattle Municipal Code, which section was  
9                   last amended by Ordinance \_\_\_\_\_, is amended as follows:

• A.

1 Failure to comply with any provision of this Chapter 22.214, or rule adopted according to  
2 this Chapter 22.214, ~~is~~ shall be a violation of the Chapter 22.214 and subject to  
3 enforcement as provided for in this Chapter 22.214. In addition, and as further provided by  
4 SMC 22.206.160 C, owners may not evict residential tenants from rental housing units if  
5 the units are not registered with the Department of Planning and Development as required  
6 by SMC 22.214.040.

7 \* \* \*

8  
9 Section 3. This ordinance shall take effect and be in force 30 days after its approval by  
10 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
11 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

12 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2015, and  
13 signed by me in open session in authentication of its passage this  
14 \_\_\_\_ day of \_\_\_\_\_, 2015.

15 \_\_\_\_\_  
16 President \_\_\_\_\_ of the City Council

17  
18 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

19 \_\_\_\_\_  
20 Ed Murray, Mayor

21  
22 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

Monica Martinez Simmons, City Clerk

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(Seal)