



Date: May 29, 2015
To: Members of the Housing Affordability, Human Services and Economic Resiliency Committee
From: Traci Ratzliff, Central Staff
Subject: Council Bill (CB) 118403, Additional Notice to Tenants Prior to Eviction, and CB 118404, Notice of Intent to Sell

The committee will consider two pieces of proposed legislation being sponsored by Councilmember Burgess at the June 4th Committee meeting: 1) Council Bill (CB) 118403, which amends the Just Cause Eviction Ordinance (JCEO) to extend notice requirements to tenants, and 2) CB 118404, which requires owners of affordable multifamily housing with five or more units to provide notification of intent to sell. This memo summarizes each of these pieces of legislation.

1. Modifying Notice Requirements included in the Just Cause Eviction Ordinance

Under the City’s Just Cause Eviction Ordinance (JCEO), the owner of rental housing can end a tenancy only for one of the 18 reasons listed in the JCEO. [See Seattle Municipal Code Section 22.206.160.C](#). The owner is required to give notice in writing to end a tenancy.

Currently, if the owner of a rental unit wishes to move into a unit occupied by a tenant or wishes to move a member of the owner’s immediate family into such a unit, the owner must provide the tenant notice at least 20 days before the start of the next rental period.

Under the proposed legislation, the notice period is increased from 20 days to 90 days. The Director of the Department of Planning and Development (DPD) may reduce the notice requirement to no less than 20 days if the Director determines that delaying occupancy will result in a personal hardship to the owner or to the owner’s immediate family. Personal hardship may include but is not limited to hardship caused by illness or accident, unemployment, or job relocation

In addition, under current law, if the owner of a single family home occupied by a tenant desires to sell the property, the owner is required to give the tenant written notice at least 60 days prior to the date set for vacating, which date shall coincide with the end of the term of the rental agreement or, if the agreement is a month to month, with the last day of a monthly period.

Under the proposed legislation, the notice period is increased from 60 days to 90 days. The Director may reduce the time required to give notice to no less than 60 days if the Director determines that providing 90 days' notice will result in a personal hardship to the owner. Personal hardship is as defined above under the notice requirement for owner move in.

Councilmember Burgess is proposing this legislation in response to advocates who argue that current low vacancy rates and lack of affordable units make it difficult for tenants to find in-City housing on short notice.

2. Notice of Intent to Sell Multi-family Housing

Currently, there are no notice requirements for an owner of affordable multifamily housing desiring to sell the multi-family housing building. However, owners of affordable housing who received city, state, or federal funding to develop such housing may be required by law or agreement to notify the City or the Seattle Housing Authority (SHA) of the owner's intent to sell or transfer the building.

Under the proposed legislation, owners of multifamily rental housing with five or more housing units with rents that are affordable to households at or below 80% of area median income are required to provide notice to the City's Office of Housing and SHA of the owner's intent to sell the property. Notice must be given 15 days prior to a property being listed with a real estate listing service or advertised for sale either in a printed newspaper or on an internet site such as commercialmls.com. Notice must be in writing and include the owner's name, phone number and address of the rental housing building that will be listed for sell. Owners of a multifamily rental housing building who are required by law or agreement to notify the City's Office of Housing and SHA of the owner's intent to sell or transfer a building are exempt from the notice requirement.

Requiring owners of affordable rental housing to provide a notice to the City and SHA prior to an owner formally listing a property for sale provides the City or SHA the opportunity to evaluate and potentially prepare a purchase and sale offer in an effort to preserve the affordable housing. The ability of the City or SHA to make offers will be limited due to funding constraints.