



Tenant Protection Legislation

Meeting RRIO Standards for Rent Increases

May 18, 2016

Presentation before the Affordable Housing,
Neighborhoods and Finance Committee

Seattle City Council

Presenter: Faith Lumsden, SDCI Code Compliance Director

Background



- **SDCI experience with complaints about rent increases**
- **HALA Subcommittee on Tenant Protection and related issues**
- **Councilmembers Sawant and Licata proposal**

Proposed Legislation



- **Adds potential delay of rent increase if a unit does not meet minimum housing code (RRIO) standards**
- **Adds enforcement authority for required notice of rent increases**
- **Transfers enforcement Authority for Prohibited Acts to SDCI from SPD**
- **Increases the amount of potential liquidated damages for a tenant's private right of action**
- **Definitions and clean-up**

How would this work?



- Landlord provides written notice of a rent increase
- Tenant must respond in writing within ten days and describe defective conditions
- Landlord can cure the problem any time before rent increase is set to take effect.
- Tenant or Landlord may call SDCI to request inspection any time before effective date of rent increase
- If SDCI inspects and finds RRIO checklist failures, then rent increase delayed until defective condition is remedied

But what if ...?



- **Conditions are not fixed until after the date initially set for the rent increase?**
 - **Tenant can be ready to pay adjusted rent on the date SDCI verifies that conditions are fixed, or**
 - **Tenant pays increased rent on date initially set and gets a pro-rated refund or credit in the following month's rent**

But what if ...?



- **Something breaks more than ten days after the notice, but before the effective date?**
 - **Tenant notifies Landlord in writing within ten days of discovering defective condition, and**
 - **Tenant or Landlord calls SDCI to verify, then same process for adjusted rent or pro-rata refund / credit based on date of compliance**

But what if ...?



- **The Tenant causes damage to delay a rent increase?**
 - **The rent increase will continue to go into effect per the original notice if SDCI determines that the Tenant caused the rental unit to not meet basic housing code standards**

Other Provisions



- **Enforcing the existing requirement to provide 30-day or 60-day notice of a rent increase**
- **Transferring enforcement authority from SPD to SDCI for all “prohibited acts” (by owners and by tenants)**
- **Simplifying and clarifying the retaliation provisions**
- **Increasing the liquidated damages amount from \$1000 to \$3000 if a tenant wins a private action against a landlord**
 - Amount has not been increased since adopted in 2001



- **Questions?**