

Full Council – February 10, 2020

Amendment 1 to CB 119726 – Amendment to add a recital and clarify language.

Sponsor: Councilmember Sawant

Description:

[Council Bill 119726](#) would amend the Just Cause Eviction Ordinance (SMC 22.206.160) to provide a defense to evictions between November 1 through March 31. This amendment would:

- Add a recital referencing the Legislature’s expressed intent to discourage residential evictions;
- Amends the proposal to clarify that this bill establishes a defense to tenants in eviction proceedings; and
- Adds one additional “just cause” to the list of causes where the eviction could proceed at any time of the year.

Notes:

- Double underlines indicate new language to be added.
- ~~Double strikethroughs~~ indicate language proposed to be removed.

Amendment*

Amend the recitals as follows:

WHEREAS, on November 2, 2015, the Mayor issued a Civil Emergency to address the
homelessness crisis in the City of Seattle; and

* * *

WHEREAS, people experiencing homelessness have a much higher risk than the general
population of developing exposure-related conditions. The KCMEO 2018 investigation
found that over half (n=107) of presumed homeless deaths investigated occurred outside
and that approximately 62 percent (n=121) of presumed homeless deaths investigate were
attributed to non-natural causes (drug overdose, accidents (that includes hypothermia),
suicide, homicide, and undetermined); and

* Other amendments may impact the numbering or lettering shown in this amendment. All amendments adopted by the City Council will be reconciled in the final version of the Council Bill.

WHEREAS, the Washington State Legislature has declared a state policy to help residents who are experiencing a temporary crisis in retaining stable housing to avoid eviction from their homes, as expressed in Laws of 2019 c 356 section 1; and

WHEREAS, prohibiting evictions during winter months will protect the public health, safety, and welfare by reducing the number of individuals and families entering into homelessness during the wintertime, which means lowering the number of people at higher risk of developing exposure-related conditions; NOW, THEREFORE,

* * *

Amend Section 1 of Council Bill 119726 as follows:

* * *

8. Except as provided in subsection 22.206.160.C.8.a, ~~((an owner may not evict a residential tenant from a rental housing unit if the eviction))~~ it is a defense to eviction if the eviction would result in the tenant having to vacate the housing unit at any time between November 1 and April 1.

a. If the reason for termination of the tenancy is due to conditions described in subsections 22.206.160.C.1.e, 22.206.160.C.1.f provided that the tenant was provided at least 90 days' written notice prior to the date set for vacating the unit, 22.206.160.C.1.j, 22.206.160.C.1.k, ~~22.206.160.C.1.l~~, 22.206.160.C.1.m, 22.206.160.C.1.n, 22.206.160.C.1.o, or 22.206.160.C.1.p, or if the reason for termination is due to the tenant's failure to comply with a three day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW or maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5), the eviction may occur as otherwise allowed by law.

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