

## SEATTLE CITY COUNCIL

## Legislation Details (With Text)

File #:	CB 120071	Version: 1	Name:	CB 120071
Type:	Ordinance (Ord)		Status:	Passed

Ordinance (Ord) Status: Passed

In control: City Clerk

On agenda: 5/24/2021

**Final Action:** Ord. No. Ord 126347 5/28/2021

Title: AN ORDINANCE relating to commercial tenancies; amending Ordinance 126066.

Sponsors: Lisa Herbold

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Central Staff Memo, 3. Signed Ordinance 126347, 4. Affidavit of

Publication

Date	Ver.	Action By	Action	Result
5/28/2021	1	City Clerk	attested by City Clerk	
5/28/2021	1	Mayor	returned	
5/28/2021	1	Mayor	Signed	
5/28/2021	1	City Clerk	submitted for Mayor's signature	
5/24/2021	1	City Council	passed	Pass
5/18/2021	1	Community Economic Development Committee	pass	Pass
5/17/2021	1	City Council	referred	
5/13/2021	1	Council President's Office	sent for review	
5/4/2021	1	City Clerk	sent for review	

## CITY OF SEATTLE

ORDINANCE					
COUNCIL BILL					

AN ORDINANCE relating to commercial tenancies; amending Ordinance 126066. WHEREAS, The City of Seattle adopted Ordinance 126066 in April 2020 in recognition of the significant

hardships felt by small businesses and not-for-profit organizations due to the COVID-19 State of

Emergency; and

WHEREAS, Ordinance 126066 required property owners to negotiate payment plans with their commercial and not-for-profit tenants who were not able to pay rent on time due to the COVID-19 State of Emergency; and

- WHEREAS, some business and not-for-profit tenants are being threatened with eviction either because their landlords have not agreed to a payment plan or because late payment of rent is grounds for eviction under a lease; and
- WHEREAS, it is in the public interest to support existing small businesses and nonprofits who were forced to close due to the state of emergency; and
- WHEREAS, The City of Seattle has a heightened interest in preventing more small businesses from closing permanently; NOW, THEREFORE,

## BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 4 of Ordinance 126066 is amended as follows:

Section 4.

- A. A small business or nonprofit tenant that fails to pay rent when due during or within six months after the termination of the civil emergency proclaimed by Mayor Durkan on March 3, 2020, may elect to pay its overdue rent in installments during that period on a payment schedule.
- B. A written installment payment schedule shall be negotiated between the lessor and the small business or nonprofit for the payment of rent in arrears, provided that 1) the repayment schedule may not require the small business or nonprofit to pay, in addition to rent due for the month or period, more than 1/3 of late rent within any month or period following the month or period for which full rent was not paid unless agreed by the tenant, and 2) rent in arrears shall be paid in full to the lessor no later than one year after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020.
- C. No late fees, interest, or other charges due to late payment of rent shall accrue during or within one year after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020.
- D. Rent paid pursuant to a payment schedule shall not be considered overdue under the terms of the lease.
  - E. If the small business or nonprofit tenders a written offer to the lessor for an installment

(Seal)

payment schedule consistent with the limitations imposed by subsection 4.B, and if the small business or nonprofit and lessor thereafter fail to agree on an payment schedule, the small business or nonprofit shall not be deemed to have failed to pay rent when due if the small business or nonprofit pays according to the schedule in the tendered offer.

Section 2. This ordinance shall take	effect and be in force 30 days	s after its approval	by the Mayor, but if
not approved and returned by the Mayor wit	hin ten days after presentatio	n, it shall take effe	ect as provided by
Seattle Municipal Code Section 1.04.020.			
Passed by the City Council the	Passed by the City Council the day of, 2		
me in open session in authentication of its passage this day of			, 2021.
Approved / returned unsigned / vetoe	President of ed this day of	the City Council	2021.
	Jenny A. Durkan, Mayor		
Filed by me this day of		, 2021.	
	Monica Martinez Simmons,	City Clerk	