



Legislation Details (With Text)

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Title: A RESOLUTION modifying Resolution 31938 and the March 14, 2020 emergency order relating to residential evictions.

Sponsors: Kshama Sawant

Indexes:

Attachments: 1. Ex A - Emergency Order Issued March 14, 2020, 2. Ex B - Emergency Order as modified by Resolution 31938, 3. Ex C - Modified Emergency Order, 4. Summary and Fiscal Note, 5. Proposed Amendment 1 (added; 2/22/22)

Date	Ver.	Action By	Action	Result
2/22/2022	1	City Council	not adopted	Fail
2/22/2022	1	City Council	referred	
2/18/2022	1	Council President's Office	sent for review	
2/17/2022	1	City Clerk	sent for review	

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION modifying Resolution 31938 and the March 14, 2020 emergency order relating to residential evictions.

WHEREAS, on February 29, 2020, Washington Governor Jay Inslee declared a state of emergency in response to new cases of COVID-19, directing state agencies to use all resources necessary to prepare for and respond to the outbreak; and

WHEREAS, on March 3, 2020 the Mayor proclaimed a civil emergency related to the spread of COVID-19, authorizing the Mayor to exercise the emergency powers necessary for the protection of the public peace, safety, and welfare; and

WHEREAS, on March 5, 2020 the Council adopted Resolution 31937 affirming the civil emergency, modifying orders transmitted by the Mayor related to the emergency, and establishing Council’s expectations related to future orders and reporting by the Mayor during the civil emergency; and

WHEREAS, on July 22, 2020, the Local Health Officer for King County issued a directive and order requiring quarantine or isolation to stem the spread of COVID-19 in the community; and

WHEREAS, on March 14, 2020 the Mayor issued a civil emergency order related to residential evictions; and

WHEREAS, on March 16, 2020 the Council adopted Resolution 31938 affirming and modifying the civil emergency order related to residential evictions and establishing Council's expectations related to future orders during the civil emergency; and

WHEREAS, subsequent emergency orders have extended the moratorium on evictions through February 28, 2022 as long as the period of civil emergency does not end before that time; and

WHEREAS, the intention of this resolution is to tie the civil emergency order related to evictions to the end of the period of civil emergency; and

WHEREAS, although Seattle has been very successful in achieving a high rate of vaccination against COVID-19 among the City's residents, the Omicron variant surged throughout the community and continues to pose a serious threat due to its heightened contagiousness; and

WHEREAS, on February 14, 2022, Public Health - Seattle and King County confirmed 733 cases of COVID-19 in King County, including 17 deaths, for a rate of 375 cases per 100,000 residents; and

WHEREAS, community transmission is considered substantial or high when there are more than 50 cases per 100,000 residents; and

WHEREAS, while reported COVID-19 cases and hospitalizations are now trending downward after a substantial surge related to the Omicron variant, the seven-day average of newly reported COVID-19 cases continues to be higher than on any other date prior to the emergence of the Omicron variant; and

WHEREAS, continued decreases in case counts, hospitalizations, and deaths are needed before the heightened risk from the Omicron variant can be said to have passed or stress on the health system will cease to be a concern; and

WHEREAS, the COVID-19 crisis has had a significant impact on the local economy, and the improvements in

economic conditions since the start of the pandemic have been put at risk due to the Omicron variant;
and

WHEREAS, the Census Bureau’s Household Pulse Survey released on February 16, 2022 estimates that more than 77,000 households in the Seattle area with incomes below \$50,000 remain behind on rent; and

WHEREAS, households will continue to be at risk of eviction and housing insecurity until employment returns to pre-pandemic levels or sufficient rental assistance is available to make them current on rent payments; and

WHEREAS, as of January 2022, The City of Seattle has allocated over \$55 million to provide rental assistance to individuals and households whose ability to pay rent has and continues to be impacted by the public health emergency and to date over 6,300 individuals and households have received rental assistance payments, with about \$25 million of funds still remaining to be distributed, in addition to funding available through King County’s rental assistance program; and

WHEREAS, it is unlikely that all households that are behind on their rent due to the effects of the pandemic will receive rental assistance prior to February 28, 2022, and rental assistance funding may not be sufficient to assist all impacted households; and

WHEREAS, the Center for Disease Control and Prevention guidelines state that those who develop symptoms or who test positive for COVID-19 without symptoms stay isolated for at least five days and those exposed to COVID-19 and not up to date on vaccinations stay home for five days, assuming no symptoms arise; and

WHEREAS, meeting requirements to self-isolate due to illness, a positive test, or exposure to COVID-19, the need to care for household members with illness or exposure, or the loss of child care arrangements due to outbreaks could have substantial impacts on household income and the ability to stay current on rent, and these risks are compounded for workers without paid sick or safe time, those who work in the “gig economy,” and historically disadvantaged populations that are already at greater risk of eviction; and

WHEREAS, The City of Seattle continues to be in a state of civil emergency due to COVID-19, which is expected to prolong requirements for protective measures to stem the spread of COVID-19 and its subsequent variants; and

WHEREAS, protective measures, such as masking and improving air quality, and treatments for COVID-19 have not progressed to where imposing those requirements through public health orders are sufficient to prevent economic impacts as new variants emerge; and

WHEREAS, many sectors of the economy continue to be affected by the impacts of the pandemic, with corollary impacts on income for many households; and

WHEREAS, the combined economic repercussions of COVID-19 on household income, including the ability to pay rent, is expected to continue for the duration of the public civil emergency, and for a notable period afterward for many households; and

WHEREAS, the September 2018 Seattle Women’s Commission and the King County Bar Association’s report *Losing Home: The Human Cost of Eviction in Seattle* (“Losing Home Report”) found that the most disadvantaged groups face the highest likelihood of eviction; and

WHEREAS, the Losing Home report found that most evicted respondents became homeless, with 37.5 percent completely unsheltered, 25.0 percent living in a shelter or transitional housing, and 25.0 percent staying with family or friends. Only 12.5 percent of evicted respondents found another apartment or home to move into; and

WHEREAS, a 2018 investigation by the King County Medical Examiner’s Office found that over half of 107 presumed homeless deaths investigated occurred outside and attributed approximately 121, or 62 percent, of presumed homeless deaths investigated to non-natural causes (drug overdose, accidents (including hypothermia), suicide, homicide, and undetermined), making it clear that people experiencing homelessness have a much higher risk than the general population of developing exposure-related conditions; and

WHEREAS, persons with underlying health conditions are at greater risk of fatality if they catch COVID-19, and preventing individuals from becoming higher-risk patients will protect the public health, safety, and welfare of the region; and

WHEREAS, *The Negative Effects of Instability on Child Development*, published in 2013 by the Urban Institute, found that “[c]hildren experiencing residential instability demonstrate worse academic and social outcomes than their residentially-stable peers, such as lower vocabulary skills, problem behaviors, grade retention, increased high school drop-out rates, and lower adult educational attainment”; and

WHEREAS, continuing to maintain a moratorium on evictions, unless due to actions by the tenant constituting an imminent threat to the health and safety of certain persons, is necessary to protect public health and support stable housing, decrease the likelihood that individuals and families will fall into homelessness, enable tenants in the City whose income and ability to work is affected due to COVID-19 to remain in their homes; and decrease the likelihood that individuals and families will increase the risk of exposure for themselves or others due to an eviction while the COVID-19 emergency exists; and

WHEREAS, Seattle Municipal Code subsection 10.02.020.B provides that the Seattle City Council can either ratify and confirm, modify, or reject civil emergency orders; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The Civil Emergency Order relating to residential evictions, issued by Mayor Jenny A. Durkan on March 14, 2020 (Exhibit A to this resolution) as modified by the Council on March 16, 2020 (Exhibit B to this resolution) by Resolution 31938, is modified as shown in Exhibit C to this resolution.

Adopted by the City Council the _____ day of _____, 2022, and signed by me in open session in authentication of its adoption this _____ day of _____, 2022.

President _____ of the City Council

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit A - Emergency Order Issued March 14, 2020

Exhibit B - Emergency Order Issued March 14, 2020 as modified by Resolution 31938

Exhibit C - Modified Emergency Order