

COVID-19 Update for Spokane Landlords, 03-30-2020

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Best Medical Statistics and COVID information

<https://coronavirus.jhu.edu/map.html>

<https://covid19.healthdata.org/projections>

Federal

<https://library.nclc.org/major-consumer-protections-announced-response-covid-19#content-2>

CARES Act Protections Against Eviction: During the 120-day period beginning on the Act's March 27, 2020 enactment date, the lessor of a "covered dwelling" may not file a court action for eviction or charge additional fees for nonpayment of rent. See **CARES Act § 4024(b)**. After that 120-day period, the lessor cannot require the tenant to vacate until it gives the tenant a thirty-day notice to quit. See **§ 4024(c)**. A covered dwelling is one where the building is secured by a federally backed mortgage loan or participates in certain federal housing programs. See **§ 4024(a)**.

<https://library.nclc.org/sec-4024-temporary-moratorium-eviction-filings>

State.

ACCORDINGLY, based on the above noted situation and under the provisions of RCW 43.06.220(1)(h), and to help preserve and maintain life, health, property or the public peace, effective immediately and until April 17, 2020, I hereby prohibit the following activities related to residential evictions by all residential landlords operating residential rental property in Washington State:

1. Residential landlords are prohibited from serving a notice of unlawful detainer for default payment of rent related to such property under RCW 59.12.030(3).
2. Residential landlords are prohibited from issuing a 20-day notice for unlawful detainer related to such property under RCW 59.12.030(2), unless the landlord attaches an affidavit attesting that the action is believed necessary to ensure the health and safety of the tenant or other individuals.

County (Superior Court

Emergency Order

5. Civil Status Conferences, Pretrial Hearings and Motions.
 - a) All civil status conferences will be handled by the judicial assistant telephonically or via email.
 - b) All civil pretrial hearings will be conducted telephonically or rescheduled.
 - c) All civil motions will be heard telephonically or decided on the briefing at the discretion of the Judge. Parties will coordinate with the judicial assistant to arrange for telephonic oral argument.

6. Bench Trials. All criminal and civil bench trials, including family law trials, are continued until April 13, 2020.

11. Ex Parte Orders (one side only).

b) The Court will hear ex parte motions that are emergency in nature. As determined by the Superior Court bench, the following are examples of motions that are considered emergent:

- Request for Orders to Stay Writ of Restitution

18. Unlawful Detainer Hearings. Any unlawful detainer hearings should be rescheduled by the petitioner for a date after April 13, 2020.

City of Spokane

A. Effective immediately, a moratorium on residential and commercial evictions is hereby ordered to help mitigate the economic and public health disruption caused to workers, businesses and residents in Spokane by the COVID-19 pandemic and to protect the public health, safety and welfare.

B. While this moratorium is in effect, a lessor of residential or commercial real property in the city of Spokane shall not initiate an unlawful detainer action, issue a notice of termination, or otherwise act on any termination notice, including any action or notice related to a residential or commercial rental agreement that has expired or will expire during the effective date of this moratorium, unless the unlawful detainer action or action on a termination notice is due to actions by the tenant constituting an imminent threat of damage to the property or to the health or safety of neighbors, the landlord, commercial lessor, or the tenant's or landlord's household members. Further, no late fees or other charges due to late payment of rent shall accrue during the moratorium.

C. Nothing in this ordinance prohibits a commercial lessor or landlord from seeking a no contact and/or exclusion order against any person who presents a significant threat to the health and safety of others or is likely to damage the property.

D. During this moratorium, no late fees, interest or other charges due to late payment of rent shall be charged to tenants of residential housing units located within the city of Spokane.