

**ORDINANCE NO. C-\_\_\_\_\_**

An ordinance requiring specific cause for most residential evictions; enacting new sections 18.03.005 and 18.03.030 of the Spokane Municipal Code; and declaring an emergency.

**WHEREAS**, the rate of vacancies for rental properties in Spokane is currently at 3.3%, its lowest level in a decade and below what 5%, which is normally considered a sign of a healthy rental market and which the Spokane market has not attained since 2015; and

**WHEREAS**, the average rent for is now over \$1,000 per month, the highest level in at least a decade, having risen by 74% since 2010; and

**WHEREAS**, nearly 50% of renters in Spokane are cost-burdened, meaning they spend 30% or more of their income on housing each month

**WHEREAS**, almost a quarter of renters in Spokane are severely cost-burdened, meaning they spend half or more of their income on housing each month; and

**WHEREAS**, the median household income is climbing, but the median income for renter households remains below the median – for example, in 2017, the median household income in Spokane was \$46,543, but the median income for renting households was \$33,812 – and while the average rent in Spokane has increased by 74% since 2010, the median renting household’s income over that same period only increased by 51%; and

**WHEREAS**, lower-income people who are cost-burdened or severely cost-burdened are at a much higher risk of eviction and therefore, of homelessness; and

**WHEREAS**, research from the Washington State Department of Commerce and data from our own CHHS Department’s point-in-time count reveal that lack of affordable housing and eviction from housing are two significant drivers of homelessness; and

**WHEREAS**, the number of unsheltered people experiencing homelessness in Spokane is now at a decade high, confirming the observed relationship between increasing rents and increasing homelessness; and

**WHEREAS**, one way to lower the rate of homelessness is to keep housed people housed, and one way to do that is to reduce the number of evictions in Spokane, the rate of which in Spokane is currently 4 households each and every week, according to data compiled by the Eviction Lab at Princeton University; and

**WHEREAS**, the Spokane City Council, in view of these facts, sees that a housing emergency exists in Spokane, that this emergency poses a danger to the health, welfare, and safety of many low-income people in Spokane, and that this emergency necessitates the enactment of this ordinance.

**NOW THEREFORE**, the City of Spokane does ordain:

**Section 1.** That there is enacted a new section 18.03.005 of the Spokane Municipal Code to read as follows:

**Section 18.03.005 Definitions**

- A. " Dwelling unit " has the same meaning as set forth in RCW 59.18.030(9).
- B. " Landlord " has the same meaning as set forth in RCW 59.18.030(14).
- C. " Rental agreement " means an agreement which establishes or modifies the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit for compensation in the city of Spokane.
- D. " Substantial rehabilitation " means the renovation, alteration, or remodeling of a residential unit of 30 or more years of age which (i) has been condemned, (ii) does not qualify for a certificate of occupancy, or (iii) requires substantial renovation in order to be in compliance with contemporary standards for decent, safe and sanitary housing. Substantial rehabilitation may vary in degree from gutting and extensive reconstruction to extensive improvements that cure substantial deferred maintenance. Cosmetic improvements alone such as painting, decorating and minor repairs, or other work which can be performed safely without having the unit vacated do not qualify as substantial rehabilitation.
- E. " Tenant " means any person who is entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement in Spokane.

**Section 2.** That there is enacted a new section 18.03.030 of the Spokane Municipal Code to read as follows:

**Section 18.03.030 Eviction Only for Specific Cause**

- A. Except where the tenant cures the violation(s) as provided in this section, landlords and/or property management companies which offer ten (10) or more dwelling units for rent in Spokane may terminate a rental agreement only by providing written notice to the tenant of the existence of one or more of the causes listed in this section.
- B. Causes which are sufficient for the termination of a residential tenancy under this section are:
  - 1. Failure by the tenant to pay rent as required by the rental agreement;

2. Material violation by the tenant of any provision of RCW 59.18.130 (duties of tenant);
  3. To allow the landlord or a member of the landlord's immediate family to occupy the dwelling unit;
  4. To perform capital improvements which will make the unit temporarily uninhabitable while the work is being done;
  5. to perform substantial rehabilitation work;
  6. To withdraw the dwelling rental units from the rental market; or
  7. To demolish or permanently remove a rental unit from housing use.
- C. The notice required by subsection (A) must:
1. Specify the cause(s) for eviction from among the items listed in subsection B;
  2. State that the tenancy will terminate due to such cause(s) no less than thirty (30) days after delivery of the notice, unless the cause(s) is/are cured by the tenant as described in this subsection; and
  3. State that the tenant may cure one or more of the violations described in subsection (B)(1) and (B)(2) within fourteen (14) days of the delivery of the notice.
  4. State that if a violation of subsection (B)(1) or (B)(2) which is described in the notice and is cured by the tenant within fourteen (14) days of the notice by a change in conduct, repairs, payment of money or otherwise, the rental agreement will not terminate.
- D. If the cause of a written notice delivered as required by this section is failure by the tenant to pay rent within five (5) days of the date it is due under the rental agreement and for which notice was given under this section on two separate occasions within the previous six (6) months, the tenant does not have a right to cure a subsequent violation.
- E. For week-to-week tenancies, the notice period in subsection (C)(2) changes from 30 days to seven days and the notice period in subsection (C)(4) of this section changes from 14 days to four days.

**Section 3.** That an urgency and emergency condition exists in the City of Spokane which poses a danger to the health, welfare, and safety of the people of Spokane and which necessitates that this ordinance be, under Section 19(a) of the City

Charter, effective immediately upon passage by the affirmative vote of one more than a majority of the City Council.

**PASSED** by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date