

Rental Housing Policy Update

June 17, 2019



Why consider adoption of rental housing policies?



- NOW: 156,000 new units to meet housing needs
- 2040:244,000 units will be needed
- 5 yr action plan: preserve access to affordable homes for renters by supporting tenant protections to increase housing stability and reduce risk of homelessness.

Chronology of Rental Housing Policy Development

Fall 2019

Foxcove apartment evictions

January 28, 2019

Council consensus to move forward with suite of protections drafted by staff

February – March 2019

Staff holds three community meetings
2/26/19 (tenants)
3/5/19 (tenants)
3/7/19 (landlords)

April 28, 2019

State legislative session ends – ESSB 5600 requires 14 days for unlawful detainer (was 3) and ESHB 1440 requires 60 days' written notice of any rent increase

June 20, 2019

Community Conversation of suite of protections minus the protections adopted by the State in April 2019

Number of Burien Rental Properties

263 licensed rental properties

57 - Property owners reside in Burien

191 - Property owners reside in Washington but outside of Burien

15 - Property owners reside out of the State of Washington

What we heard from tenants

- Relationship needs improvement
- 3rd party “ombudsman”
- Protection from retaliation
- Inspection of rental properties
- Relocation assistance
- More housing diversity (ADUs)
- Remove barriers (credit checks, etc)
- Just cause eviction
- Education and information (translated)
- Notice of rent increases
- Notice of sale

What we heard from landlords

- Improved relationship
- 3rd party “ombudsman”
- Unintended consequences - rent will increase with more regs
- Exempt small properties from some regs (inspections)
- Tenants’ installment payments = hardship for landlords
- Need to recover maintenance and repair costs through rent
- More regulations will reduce affordable housing
- Education for landlords

RCW 59.18 RLTA

Landlord Obligations	Tenant Obligations
Comply with rental agreement	Comply with rental agreement
Maintain property to code; (cant rent condemned property)	Pay rent
Make repairs within prescribed time-frame	Keep premises clean and sanitary
Keep common areas safe	Not damage or permit damage
Supply heat, electricity, hot and cold water and locks	Properly use appliances
Maintain appliances	Return unit to initial condition
Comply with local laws	Comply with local laws

Federal Fair Housing Act of 1968

Makes it illegal for landlord to discriminate because of a person's race, gender, national origin, or religion

Washington Law Against Discrimination

RCW 49.60 Prohibits discrimination on the basis of age, marital status, physical and mental disability, personal appearance, sexual preference, family responsibilities, political affiliation prior arrest or conviction record, or source of income.

RCW 59.18 RLTA, Cont

- Distribution of information None required*
- Installment for fees Landlord not required to provide
- Notice to vacate 20 days (month to month)
- Notice of rent increase 60 days' written notice (ESHB 1440)
- Notice of sale No notice requirement
- Just cause eviction No cause required for eviction

* Landlord must provide written rental agreement including explanation for retention of security deposit

Suite of Recommended Requirements

- Rental Housing Inspection Program
- Distribution of information to landlords and tenants (translated)
- Landlord to accept installment payments
- 60 day notice to vacate for no cause
- 120 day notice to vacate for demolition, substantial redev, change of use
- Notice of sale of low-income housing
- Just cause eviction
- Housing ombudsman

Implementation – No or Low Cost

- Website page for renters rights and resources
- Develop, maintain and distribute information packet
- Installment payments (code change)
- 60 and 120 notice to vacate (code change)
- Notice of Sale (code change)

Implementation – Funding Needed

Ombudsman

One FTE (approx. \$75,000 includes benefits)

Implementation – Funding Needed

Just Cause Eviction Ordinance

- Appeals to City of Burien Hearing Examiner
- City Attorney; paralegal coordination of appeal
- Estimate \$2,500 to \$5,000 per appeal depending on complexity

Alternative: Contract with King County Housing Justice Project or Neighborhood Legal Clinics to handle appeals

Implementation – Funding Needed

Rental Housing Inspection Program

Coordinator (1 FTE) paid for by rental business license fees

Kent example:	1 - 10 units	\$101
	11 – 50 units	\$300
	51 or more units	\$600

Questions

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