



SPOKANE CITY COUNCIL
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Ben Stuckart
Council President

Summary of Specific Cause Eviction Ordinance

- Ordinance applies only to landlords which offer 10 or more units for rent in Spokane. Does not apply to small “mom & pop” landlords.
- Residential tenancies may only be terminated for one of seven specific causes: tenant’s failure to pay rent, tenant’s violation of the terms of a lease agreement, failure of the tenant to meet state law duties, to allow the landlord to place their family in the dwelling, to conduct substantial rehabilitation or renovations on the property, to take the unit off the market, or to demolish the unit.
- When a landlord intends to evict a tenant, they have to let the renter know the specific cause or reason they are being removed and provide thirty days’ notice.
- Tenants evicted under the specific cause ordinance will have fourteen days to cure the specific cause, unless the cause is a habitual pattern of non-payment of rent, which is a cause for eviction that cannot be cured.

ORDINANCE NO. C-_____

An ordinance requiring specific cause for most residential evictions; enacting a new chapter 19.04 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 chapter 19.04 of the Spokane Municipal Code to read as follows:

Chapter 19.04 Eviction for Cause

Section 19.04.010 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) or RCW 59.18.140 (Reasonable obligations or restrictions—Tenant's duty to conform—Landlord's duty to provide written notice in increase of rent);
 - 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

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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 2. 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