



Renter Protections Briefing

Today's Presentation

Relocation Assistance

Junk fees

Air conditioning in rental units

Ability to break a lease after receiving rent increase notice of 5%+

Recent changes in Bellingham and Tacoma

Relocation Assistance

RCW 59.18.085

Relocation assistance may be required to be paid by the landlord if the unit is condemned or deemed unlawful to occupy by government entity.

RCW 59.18.440

Cities may require payment of relocation assistance to a low-income tenant (below 50% AMI) if their unit is demolished, substantially rehabilitated, or the use changes. The funds may be paid by City and can be cost shared with landlord (up to 50%).

Junk fees

Two approaches:

1. Limit or Prohibit certain types of fees, such as:

- Late fees
- Fee for posting notice or legal consultation
- Lease renewal fees or admin fees
- Garbage valet fees/'nonessential services'
- Month to month fees

2. Define and limit what types of fees a landlord may charge, such as:

- Late fee
- Fees for damages or actual costs incurred by landlord
- Application fee (only actual costs, as outlined in state law)

Right to install A/C units

Oregon State sample policy

Some parameters may be required, such as removal of units during winter months or using the landlord's agent to properly install the units

Ability to break lease after notice of rent increase of 5% or more

HB 1124 and SB 5961/HB 2114: allows tenant to break lease after receiving notice of rent increase and only owe prorated rent

Tacoma & Bellingham changes

Enforced by tenant, not by City

- Fees
- Notice for rent increases
- Relocation Assistance for significant rent increases
- School-year and cold weather evictions
- Prohibit evictions against essential workers
- Rent increases prohibited if unit is uninhabitable

Move-in fees

Tacoma (matches Olympia's code)

- Move-in costs capped at one month's worth of rent
- Non-refundable move-in fees prohibited
- Pet fees capped at 25% of one month's rent

Tacoma

Rental application fees must comply with state law RCW 59.18.257

Late fees

Tacoma

- Fees or charges for late payment of rent are limited to \$10.00 per month (matches Burien and Seattle)

Other cities cap late fees at a percentage of rent (for example, 1.5% of monthly rent)

Economic Displacement Relocation Assistance

When does it apply?

Tacoma: rent increase of 5% or more

Bellingham: rent increase of 8% or more (over 12 month period)

How much relocation assistance is provided?

Tacoma: 2 months of rent if rent increased by 5% to 7.5%; 2.5 months of rent if increased by over 7.5%; 3 months of rent if rent increased over 10%

Bellingham: 3 months of rent (the greater of either fair market rent or tenant's monthly rent)

Are there any exemptions?

Yes. Both exempt situations where a landlord and tenant living on the same site if the site has four or fewer dwelling units;

Or the Tenants have lived in the dwelling unit for less than six months.

Tacoma: a landlord that temporarily rents out the landlord's principal residence during the landlord's absence due to active duty military service.

Bellingham: transitional housing

Notice for Rent Increases

Tacoma

- Landlord must give two notices of an upcoming rent increase: the first notice must be provided between 210 and 180 days before the rent increase is to take effect. A second reminder notice must be provided between 120 and 90 days before the rent increase is to take effect

Bellingham

- 120 days' notice required for rent increases of 8% or greater and notice must provide a rationale for the rent increase

Olympia

- 120 days' notice for rent increases over 5% and 180 days' notice for rent increases of 10% or more

School-year and cold weather evictions

Tacoma

Landlords are prohibited from carrying out student/school-year, and cold-weather evictions (November 1-April 1)

Exceptions if eviction is for following reasons:

- owner or family to occupy the unit
- condemnation or uninhabitability
- desire for roommate to vacate
- sexual harassment by tenant
- the tenant's failure to comply with a three day or ten day notice to vacate for a drug-related activity nuisance pursuant to chapter 7.43 RCW
- maintenance of an unlawful business or conduct pursuant to RCW 59.12.030(5)
- the tenant's conduct has a substantial detrimental impact on, or constitutes an imminent threat to, the health or safety of other tenants in the rental building or the owner.

Prohibiting discriminatory evictions against essential workers

Tacoma

Landlords are prohibiting from evicting a tenant based on the tenant's status as a member of the military, first responder, senior, family member, health care provider, or educator.

Landlord can't evict tenant due to having an immediate family member living in the rental unit who isn't on the lease.

Rent increases prohibited if unit is uninhabitable

Tacoma included similar language as what was passed in November 2023 by Olympia City Council

Tacoma July 2023 updates

Landlords cannot:

- Exceed income to rent ratios. May require a tenant's gross income to be 2.5 or 3 times the rent (2.5 times if unit rent is more than HUD area Fair Market Rent or 3 times if the unit rent is less than HUD area Fair Market Rent).
- Place blanket bans on prospective tenants with felony or drug convictions, and arrest records
- Require a Social Security Number as the only way to conduct screening. (Alternative proof to establish eligibility must be accepted.)

Tacoma July 2023 updates

- Landlords cannot enact dog breed restrictions, unless they have an insurance company-required breed restriction. Any breed of service animal must be allowed.
- Rent increase notice must include list of resources and landlords cannot charge tenants for service of notice.
- Shared housing standards

Recap

- Referral to Council on proposed relocation assistance code language
- Next steps on junk fees, A/C units, and ability to break the lease after a rent increase of 5% or more
- Direction on any policies adopted by Tacoma and Bellingham that Olympia would like to pursue



Questions?

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