

CHAPTER 8.46

RELOCATION ASSISTANCE PROGRAM

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8.46.010 Purpose

The purpose of this chapter is to establish, pursuant to RCW 59.18.085, a relocation assistance program for tenants whose dwellings have been condemned by the City.

(Ord. 2122 §1 (part), 2006)

8.46.020 Notification of Relocation Assistance

At the time the City notifies a landlord that a dwelling is condemned or unlawful to occupy due to the existence of conditions that violate applicable codes, statutes, ordinances, or regulations, the City shall also notify both the landlord and the tenant(s) that the tenant(s) may be entitled to relocation assistance from the landlord under RCW 59.18.085.

(Ord. 2122 §1 (part), 2006)

8.46.030 Advancement of Relocation Assistance

If the City determines that the tenant(s) are entitled to relocation assistance, and the landlord has failed to provide the tenant(s) with relocation assistance within seven days of the City notifying the landlord of the condemnation, eviction or displacement order, the City may advance the cost of relocation assistance to the tenant(s). The amount of relocation assistance advanced shall be no more than \$2,000 or three times the monthly rent, whichever is greater.

(Ord. 2122 §1 (part), 2006)

8.46.040 Reimbursement of Relocation Assistance

The landlord shall reimburse the City the relocation assistance advanced by the City to the tenant(s) within 60 days from the date that the City first advanced said funds.

(Ord. 2122 §1 (part), 2006)

8.46.050 Penalty

Failure by the landlord to repay the City for the advanced relocation assistance within 60 days shall result in the assessment of civil penalties in the amount of \$50 per day for each displaced tenant. In addition, interest shall accrue at the maximum legal rate of interest permitted under RCW 19.52.020, commencing 30 days after the date the City first advanced relocation assistance funds to the displaced tenant(s). The City shall also be entitled to attorney's fees and costs arising from any legal action taken to recover unpaid relocation assistance, penalties and interest. The City may also recover advanced relocation assistance, penalties and interest pursuant to TMC Section 8.48.090, "Remediation/Penalties."

(Ord. 2549 §13, 2017; Ord. 2122 §1 (part), 2006)

8.46.060 Exemption from Reimbursement of Relocation Assistance

A. The landlord may be exempt from reimbursing the City for relocation assistance if the landlord can demonstrate by a preponderance of the evidence within seven days of the City sending notice of the condemnation, eviction or displacement order that the condition(s) causing the dwelling to be condemned or unlawful to occupy was directly caused by:

1. a tenant's or any third party's illegal conduct without the landlord's prior knowledge;
2. a natural disaster, such as an earthquake, tsunami, wind storm or hurricane; or
3. the acquisition of the property by eminent domain.

B. Relocation assistance will not be advanced to a tenant who has entered into a rental agreement after official notice has been given to the landlord, but before the violations have been corrected.

(Ord. 2122 §1 (part), 2006)