

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Potential Examples of Code Language to Address	Go or No Go LUEC direction 7/18	October LUEC follow up
1	Prohibit use of online bidding platforms	<ul style="list-style-type: none"> • Easy policy decision • Not a problem in Olympia or Thurston yet 	<ul style="list-style-type: none"> • Not addressing an issue in the City • Difficult to enforce 	<ul style="list-style-type: none"> • Challenges to Seattle ban at 9th Circuit via Rentberry, an online bidding platform in SF. • State law is silent on this topic. 	<p>"Rental housing bidding platform" or "platform" means a person that connects potential tenants and landlords via an application based or online platform to facilitate rental housing auctions wherein potential tenants submit competing bids on certain lease provisions including but not limited to housing costs and lease term, to landlords for approval or denial. Merely publishing a rental housing advertisement does not make a person a rental housing bidding platform.</p> <p>Olympia Municipal Code silent on this topic</p>	Follow up based on court resolution	<p>District and Circuit Court rulings both favored City of Seattle over Rentberry.</p> <p>Staff recommend City of Seattle language if Council is favorable.</p>
2	Require landlords to distribute certain housing related information, including rights and responsibilities to tenants	<ul style="list-style-type: none"> • Easy policy decision • State law changed in 2019 	<ul style="list-style-type: none"> • Difficult to enforce 	<ul style="list-style-type: none"> • Would need to develop set of standard required info • Better landlord and tenant education 	<p>2019 RLTA amendments now require 14-day pay or vacate notices to be available on the Attorney General's website. Other new translated notices may also be posted.</p> <p>Olympia Municipal Code silent on this topic</p>	Adopt to OMC by reference from RLTA RCW 59.18	Adopt to OMC by reference from RLTA RCW 59.18
3	Require that deposits, as well as recurring and one time fees be in written agreements	<ul style="list-style-type: none"> • Fees could previously be grounds for eviction – that changes in 2019. • Required in Residential Landlord-Tenant Act (RLTA) (RCW 59.18) for leases one year and longer • Could include in as part of Measure #2 	<ul style="list-style-type: none"> • Difficult to enforce • How would this address month-to-month leases and leases of less than a year? • Not clear if necessary 		<p>"Security deposit" means a refundable payment or deposit of money, however designated, the primary function of which is to secure performance of a rental agreement or any part of a rental agreement. "Security deposit" does not include a fee.</p> <p>Olympia Municipal Code silent on this topic- could fit into 5.80, Unfair Housing Practices</p>	Would like more information from staff	

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4	Make landlord failure to comply a renter defense to eviction and the landlord subject to liability and penalties	<ul style="list-style-type: none">• Would be tied to other municipal code measures• Best if cross jurisdictional	<ul style="list-style-type: none">• Only applicable to municipal ordinances• Would likely be applicable only if a court case is filed	<ul style="list-style-type: none">• If City provides education packet and requires information• Tied to 120-day• Civil penalties would likely be available a deterrent	Olympia Municipal Code silent on this topic- could fit into 5.80, Unfair Housing Practices	Would like more information from staff	
5	Prohibit waiving of city requirements	<ul style="list-style-type: none">• Same waiver protections for municipal requirements as Residential Landlord-Tenant Act (RLTA) (RCW 59.18)• Best if cross jurisdictional		<ul style="list-style-type: none">• Is this needed if policies are set?• Civil penalties would likely be available a deterrent	Olympia Municipal Code silent on this topic- could fit into 5.80, Unfair Housing Practices	Adopt to OMC by reference from RLTA RCW 59.18	Adopt to OMC by reference from RLTA RCW 59.18
6	Prohibit retaliation	<ul style="list-style-type: none">• Protects those who seek to pursue their legal rights for municipal law as Residential Landlord-Tenant Act (RLTA) (RCW 59.18)• Best if cross jurisdictional	<ul style="list-style-type: none">• Potentially difficult to communicate or enforce	<ul style="list-style-type: none">• Could be addressed as a potential code amendment as part of a new "Rental Housing Code" chapter in Title 5 "Business Taxes, Licenses and Regulations"• Civil penalties would likely be available a deterrent	Olympia Municipal Code silent on this topic- could fit into 5.80, Unfair Housing Practices	Adopt to OMC by reference from RLTA RCW 59.18	Adopt to OMC by reference from RLTA RCW 59.18

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Potential Examples of Code Language to Address	Go or No Go LUEC direction 7/18	October LUEC follow up
7	Require notification prior to eviction due or a notice of rental increase over a particular cap and of no-cause eviction	<ul style="list-style-type: none"> State law changed in 2019 Seattle not challenged on their timeline requirements Could set policy for all rent increases Makes the most impact 	<ul style="list-style-type: none"> Difficult to communicate or enforce 	<ul style="list-style-type: none"> What would be the best amount of time? 60 or 90 days may be most useful When would be the best situations? Tacoma and Seattle adopted this previously Related to the no cause eviction Would need major communications strategy Could be addressed as a potential code amendment as part of a new "Rental Housing Code" chapter in Title 5 "Business Taxes, Licenses and Regulations" May address the new "Fourteen-Day Notice to Pay Rent or Vacate the Premises" that is a part of ESSB 5600 May address the new requirements for a 120-day notice requirement in RCW 59.18.200 added by HB 1462 May address the new requirements for a 60-day notice for increase in rent in RCW 59.18.140 added by ESHB 1440 	<p>Now a 60-day requirement (from 30-day) added by ESHB 1440, Sec.1. RCW 59.18.140 May 14, 2019.</p> <p>30-day notice requirement for subsidized tenancy in ESHB 1440, Sec.1. RCW 59.18.140.</p>	<p>Interested in considering up to 90 days. Would like more information on staff on what other jurisdictions are doing.</p>	<p>Interested in considering up to 90 days. Would like more information on staff on what other jurisdictions are doing.</p>

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Potential Examples of Code Language to Address	Go or No Go LUEC direction 7/18	October LUEC follow up
8	Require notification a set number of days prior to any rent increase	<ul style="list-style-type: none"> Makes the most impact 	<ul style="list-style-type: none"> Potentially difficult to communicate or enforce 	<ul style="list-style-type: none"> 90 days would be better Would need major communications strategy Could be addressed as a potential code amendment as part of a new "Rental Housing Code" chapter in Title 5 "Business Taxes, Licenses and Regulations" 	Now a 60-day requirement (from 30-day).	Interested in considering up to 90 days. Would like more information on staff on what other jurisdictions are doing.	Interested in considering up to 90 days. Would like more information on staff on what other jurisdictions are doing.
9	Require a landlord to allow a tenant to pay the deposit and move in and administrative fees over a period of up to a number of months and allow tenants the ability to pay security and last month rent over a period of three months after moving in in lieu of upfront so there is less initial barrier to entry	<ul style="list-style-type: none"> Would help address the economic issues Very helpful for low or moderate income renters Address month to month costs Best if cross jurisdictional 	<ul style="list-style-type: none"> Has this been challenged? Potentially difficult to communicate or enforce 	<ul style="list-style-type: none"> Tied to term of lease Payment period could be over three to four months Would need major communications strategy Could be addressed as a potential code amendment as part of a new "Rental Housing Code" chapter in Title 5 "Business Taxes, Licenses and Regulations" 	Olympia Municipal Code silent on this topic.	Would like more information from staff	Staff Recommend bringing this to the work session based on other recent work in other jurisdictions, and recent community attention.
10	Add source of income protections in housing rental code	<ul style="list-style-type: none"> Easy policy change Best if cross jurisdictional 	<ul style="list-style-type: none"> Potentially difficult to communicate or enforce 	<ul style="list-style-type: none"> Source of income protected under state law (RCW 59.18.255) CAC reports an increase in cases of landlords refusing 'public vouchers' so education is needed. 	This is included in OMC but state law has superseded protections in OMC 5.80.	Update OMC to reflect state changes in RLTA.	<p>We are out of consistency with state law.</p> <p>Update OMC to reflect state changes in RLTA</p>

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Potential Examples of Code Language to Address	Go or No Go LUEC direction 7/18	October LUEC follow up
11	Add citizenship status protections in housing rental code	<ul style="list-style-type: none">• Easy policy change• Best if cross jurisdictional	<ul style="list-style-type: none">• Potentially difficult to communicate or enforce• Potential conflict with federal law	<ul style="list-style-type: none">• Source of income protected under state law, but not citizenship status• “Fair chance housing”	<ul style="list-style-type: none">• Would need communications strategy	Would like more information from staff	

Table 1c: Measures Considered for Amendments to Tumwater Municipal Code – (Tumwater’s Red List)

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Go or No Go	October LUEC Follow Up
12	Limit fees a landlord could charge	<ul style="list-style-type: none"> • Would help address economic issues • Best if cross jurisdictional 	<ul style="list-style-type: none"> • Regulating actual business decisions • Potentially difficult to communicate or enforce • How would fees be justified? • Needs further research 	<ul style="list-style-type: none"> • Possible limits on nonrefundable fees • Security deposit would not be more than one month’s rent • Would need major communications strategy • No action will be taken on this option for now 	Staff should research fees, credit checks, state and other city efforts and bring more detail to LUEC.	
13	First-in-time tenancy required	<ul style="list-style-type: none"> • First qualified applicant accepted • Best if cross jurisdictional 	<ul style="list-style-type: none"> • Current City of Seattle litigation • Difficult to communicate and enforce • May not address economic issues 	<ul style="list-style-type: none"> • Would need major communications strategy • Anecdotally, Seattle property managers and landlords have found ways around this (like receiving paper applications). 	Unclear on legal status, more staff research needed.	

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Go or No Go	October LUEC Follow Up
14	Add criminal conviction status protections in housing rental code	<ul style="list-style-type: none"> Best if cross jurisdictional Addresses a significant housing barrier 	<ul style="list-style-type: none"> Highly controversial Potentially difficult to communicate or enforce 	<ul style="list-style-type: none"> Passed in Seattle in 2017 Source of income protected under state law, but not criminal conviction status "Fair chance housing" has been considered in state law. <p>Seattle prevents a landlord from using an applicant's criminal history to deny tenancy, except in limited situations and only if the landlord provides a legitimate business reason for doing so.</p> <p>Exemptions include registered sex offenders if the landlord provides a legitimate business reason for the denial. Allows a landlord to consider conviction records within two years of the date of application.</p> <p>Exempts shared occupancy units (including mother-in-laws) if the landlord lives on site, and also buildings with four or fewer living units if the owner lives in one of the units.</p> <p>Does not affect requirements of federally-funded housing to deny tenancy to tenants convicted of certain crimes.</p>	<p>Interested in discussing and considering. Need more research on how to codify and enforce, other jurisdictions, estimates of impact.</p>	<p>Postpone for more discussion and research.</p> <p>Not on Tumwater's Green list.</p>
15	Require landlords to show good cause to terminate a month-to-month tenancy and to refuse to renew a fixed term tenancy	<ul style="list-style-type: none"> Best if cross jurisdictional 	<ul style="list-style-type: none"> Often tenants appreciate month to month flexibility Potentially difficult to communicate or enforce Takings analysis required 	<ul style="list-style-type: none"> Add this to notice requirements discussion elsewhere in this table Would need major communications strategy Is this legal? No action will be taken on this option 	<p>Interested in learning more.</p>	

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	Go or No Go	October LUEC Follow Up
16	Tenant relocation assistance fund	<ul style="list-style-type: none"> Addresses economic relocation Not for cause 	<ul style="list-style-type: none"> Would need more study to determine criteria and funding Current City of Portland litigation 	<ul style="list-style-type: none"> Could be property owner funded Some programs go through a municipality, while other directly to a tenant Would need major communications strategy No action will be taken on this option 	<div>Removing from LUEC consideration since this topic is being considered at Olympia General Government Committee.</div>	<div>Postpone for more discussion and research.</div> <div>Not on Tumwater's Green list.</div>
17	Provide relocation payment for any low-income tenant displaced by the reasons in Measure #7	<ul style="list-style-type: none"> Best if cross jurisdictional 	<ul style="list-style-type: none"> Potentially difficult to communicate or enforce Could be a disincentive to property fixes or improvements Would need an income standard 	<ul style="list-style-type: none"> Long term Would need major communications strategy No action will be taken on this option 	<div>Removing from LUEC consideration since this topic is being considered at Olympia General Government Committee.</div>	<div>Postpone for more discussion and research.</div> <div>Not on Tumwater's Green list.</div>

Table 2: Measures Considered for Education and Communication

	Measures	Potential Positives	Potential Negatives	Notes or Needed City Resources	October LUEC Follow Up
1	Create a list of landlords for communication regarding notices and enforcement	<ul style="list-style-type: none">A list will be needed to make existing and proposed regulations effective	<ul style="list-style-type: none">It would be a sample, a full list seems unlikely	<ul style="list-style-type: none">List would include name, contact information, number of units, and location of unitsNot hard to get big property managers, 'ma and pa' landlords would be challengingVoluntary online list serve? Perhaps linked to incentives or information?County, Lacey and Olympia have already built separate incomplete listsCould an online service capture some of this?	HAT Rental Housing Team working on this, also could be linked to 1923 outreach in future
2	Contract with Dispute Resolution Center for tenant and landlord conflict resolution services	<ul style="list-style-type: none">Easy service to test for useThis is a best-practice for homeless prevention and could be linked to county or state fund sources	<ul style="list-style-type: none">Cost of Dispute Resolution Center services	<ul style="list-style-type: none">City would pay full or subsidized cost up to a particular amountPrices range on length of interaction	*Tumwater discussed this in September. Staff are working on this and plan to discuss this as a 2020 budget item (not currently budgeted).

- Lacey currently has a **Residential Registration Program**:
- <https://www.codepublishing.com/WA/Lacey/#!/Lacey14/Lacey1402.html#14.02>
 - 5 or more units
 - Register annually
 - Purpose: "prevent... blight by providing information so Lacey can respond quickly..."
 - Fee: \$5 per unit, \$500 maximum
 - Fee can be waived if owners participate in Crime Free Housing Program

Other actions for staff:

Research highlighted areas of the Tenant Protections for Olympia crosswalk and return to LUEC

Coordinate with staff from Lacey and Tumwater to:

- Develop a plan to share RLTA changes that take effect on July 28 with councils, landlords, tenants and other key stakeholders
- Create a web presence for landlord tenant information in Thurston County
- Collect and combine existing landlord lists
- Create an online method to collect landlord contact information and share information
- Survey landlords and tenants on what they need

Circle back to LUEC and Council on these actions