Resolution No. 31220

A RESOLUTION relating to rental housing and the City's efforts to improve the quality of rental housing, requesting that the Department of Planning and Development report back to the Council by July 1, 2011 on its efforts to utilize the inspection warrant authority recently granted by State law.

Related Legislation File: _____

Date Introduced and Referred: June 7, 2010	To: (committee): Full Council for Introduction and Adoption
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 6.1.10	Date Presented to Mayor: 6.1.10
Date Signed by Mayor: 6.7.10	Date Returned to City Clerk: 6.9.10
Published by Title Only X Published in Full Text _____	Date Returned Without Concurrence:

The City of Seattle – Legislative Department

Resolution sponsored by: _____

Committee Action:

Date	Recommendation	Vote

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote
6.1.10	Adopted	7-0 Disqualified: ~~TB~~ TR, MO

Michael Jenkins
DPD—rental housing warrants resolution
May 24, 2010
Version 1

RESOLUTION 31220

A RESOLUTION relating to rental housing and the City's efforts to improve the quality of rental housing, requesting that the Department of Planning and Development report back to the Council by July 1, 2011 on its efforts to utilize the inspection warrant authority recently granted by State law.

WHEREAS, there has been consistent growth in the amount of rental housing within the City of Seattle, estimated in the 2000 Census as exceeding 51% of the housing stock; and

WHEREAS, the City intends that rental housing meet basic life, health and safety standards and therefore has adopted the Seattle Housing and Building Maintenance Code (Seattle Municipal Code 22.200); and

WHEREAS, the City expends significant effort to provide that all housing, regardless of ownership, meets or exceeds City and state codes governing building and life safety construction, fire safety, energy consumption, sanitation, electrical services and other such considerations; and

WHEREAS, despite the demonstrated commitment to responsible ownership by the majority of rental housing owners , the City continues to experience problems caused by poor maintenance of and failure to comply with basic life, health and safety standards in its rental housing stock ; and

WHEREAS, the City has an interest in preserving the stock of rental housing and the long term health of its rental housing market; and

WHEREAS, the City finds that the existence of substandard and unsanitary rental units are a detriment to the physical, social and economic stability of all housing in the City of Seattle and the health and welfare of the citizens of the City of Seattle; and

WHEREAS, in 2007 the City Council commissioned a study to gauge the effectiveness of the City's approach to housing code enforcement; and

WHEREAS , in 2008 the Cedar River Group presented the results of its study (known as the Cedar River Study) to the City Council; and

WHEREAS, the Cedar River Study recommended that the City enhance its enforcement efforts by, among other things, seeking State legislation to secure inspection warrant authority; and

DNS CITY CLERK

WHEREAS in 2010 the State Legislature authorized limited inspection warrant authority for rental housing by passing SSB 6459, which will take effect on June 10, 2010; and

WHEREAS, the City Council would like to gauge the effectiveness of the new warrant authority in improving the City's housing code enforcement efforts; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. Pursuant to the recommendation in the Cedar River Study and now that the State Legislature has passed legislation authorizing inspection warrants for rental housing in limited circumstances, the City Council requests that the Department of Planning and Development (DPD) utilize the new inspection warrant authority whenever possible as a tool in its toolbox of Housing Code enforcement efforts, and among other things, develop policies and procedures for the use of the warrant authority and provide outreach and education to other agencies and sources that might provide documentation of the conditions of rental properties that could serve as the basis for seeking an inspection warrant.

Section 2. The City Council requests that DPD report back to the Council by July 1, 2011, evaluating the effectiveness during its first year of use of the new inspection warrant tool in DPD's efforts to improve its Housing Code enforcement efforts.

SEA CITY CLERK

Michael Jenkins
DPD—rental housing warrants resolution
May 24, 2010
Version 1

Adopted by the City Council the 1st day of June, 2010, and signed by me in open session in authentication of its adoption this 1st day of June, 2010.

President _____ of the City Council

THE MAYOR CONCURRING:

Michael McGinn, Mayor

Filed by me this 9th day of June, 2010.

City Clerk

(Seal)

2010 CITY CLERK

Form revised February 4, 2010

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Michael Jenkins 5-1674	NA

Legislation Title:

A RESOLUTION relating to rental housing and the City's efforts to improve the quality of rental housing, requesting that the Department of Planning and Development report back to the Council by July 1, 2011 on its efforts to utilize the inspection warrant authority recently granted by State law.

- **Summary of the Legislation:**

The resolution requests that the Department of Planning and Development (DPD) report to the City Council by July 1, 2011 on policies and procedures developed to implement an administrative warrant program in the City of Seattle. This resolution is intended to complement the rental housing licensing and inspection program authorized under Council Bill 116857. This resolution also complements work requested by Council in a separate resolution that requests that DPD develop a report to Council by February 1, 2011, in consultation with stakeholder groups, on at least 12 different issues affecting the implementation of the rental housing licensing and inspection program.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The City has followed the issue of administrative warrant authority for many years, extending back to its initial program to regulate rental housing through a license and inspection program adopted in the 1980's, later overturned in a series of lawsuits in the 1980's and 1990's. Administrative warrant authority, also known as civil warrant authority, allows a third party to report to City officials rental housing conditions that pose a threat to the life or safety of a tenant. Currently, authority to seek and obtain a warrant to inspect a property is only available to the City's public safety officials (Fire and Police).

In 2007 the City Council commenced work to consider local implementation of a rental housing licensing and inspection program. The desire to implement such a program grew out of a mandatory rental housing licensing and inspection program adopted by the City of Pasco in 1997, upheld through a series of Court challenges. In 2007, the Council passed Resolution 31031, setting aside $50,000 of Council funds to study options to adopt a local rental housing licensing and inspection program.

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In 2008, the Cedar River Group was commissioned to develop this study. The study was provided to Council in February 2009. While the study recommended options that included the development of a mandatory rental housing licensing and inspection program, its primary recommendation was that the City seek administrative warrant authority from the State of Washington.

In 2010 the State Legislature passed SSB 6459, which sets forth the terms by which a local jurisdiction can adopt a Pasco-style rental housing licensing and inspection program. Included with the state legislation are provisions that allow for administrative warrant authority.

- *Please check one of the following:*

__X__ This legislation does not have any financial implications.

The work required under this resolution is expected to be performed under existing budget resources provided to DPD. It is expected that the work required to develop the report will require approximately .25FTE, distributed among existing staff, estimated at approximately $16,000 in personnel costs (i.e., salary and benefits), excluding overhead. This may require reallocation of existing staff time and resources from other projects under DPD's work plan.

ENS CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

256194 No.
CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31217,220,221 TITLE

was published on

06/15/10

The amount of the fee charged for the foregoing publication is the sum of $ 47.78, which amount has been paid in full.

Subscribed and sworn to before me on

06/15/10

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on June 1, 2010, and published here by title only, will be mailed upon request, or can be accessed at http://clerk.ci.seattle.wa.us. For further information, contact the Seattle City Clerk at 684-8344.

RESOLUTION NO. 31217

A RESOLUTION urging the State of Washington to establish consistent statewide standards for biosafety laboratories.

RESOLUTION NO. 31220

A RESOLUTION relating to rental housing and the City's efforts to improve the quality of rental housing, requesting that the Department of Planning and Development report back to the Council by July 1, 2011 on its efforts to utilize the inspection warrant authority recently granted by State law.

RESOLUTION NO. 31221

A RESOLUTION relating to rental housing and the City's efforts to improve the quality of rental housing, requesting that the Department of planning and Development report back to the Council by February 1, 2011 with recommendations on implementation of a rental housing inspection program.

Date of publication in the Seattle Daily Journal of Commerce, June 15, 2010.

6/15(256194)