

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**  
**COUNCIL BILL \_\_\_\_\_**

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3  
4 AN ORDINANCE relating to rental property registration and inspection; adding a new Chapter  
5 22.214 to the Seattle Municipal Code that provides for a January 1, 2014 effective date;  
6 retitling portions of Chapter 6.440 as Chapter 22.214; amending portions of the retitled  
7 Chapter 6.440; and repealing portions of Chapter 6.440.

8 WHEREAS, the City Council (“Council”) has determined substandard and unsanitary residential  
9 buildings and dwelling units exist within the City of Seattle (“City”); and

10 WHEREAS, the Council adopted Resolution 31221 on June 1, 2010 ~~that~~ **and** requested the  
11 Department of Planning and Development (“DPD”) convene a Stakeholders Group that  
12 would recommend what the contours of the rental housing inspection program should be;  
13 and

14 WHEREAS, the Council adopted Ordinance 123311 on June 10, 2010 ~~that~~ **and** established the  
15 basis for the City’s rental housing licensing and registration program and that included an  
16 extended effective date to determine the extent the program should be clarified based on  
17 comments received during the review of that Ordinance; and

18 WHEREAS, the Stakeholders Group met fourteen times between December 2010 and January  
19 2012, resulting in a series of recommendations on the scope of a rental housing licensing  
20 program that were provided to DPD and used to develop this ordinance; and

21 WHEREAS, as permitted by Substitute Senate Bill 6459, the Council is authorized to implement  
22 changes to the program initially established under Ordinance 123311. The program  
23 changes in this ordinance retitle sections of Ordinance 123311 to align the rental housing  
24 inspection regulations to the City’s Housing **and Building Maintenance** Code instead of  
25 the City’s licensing requirements; and amend portions of the existing regulations to  
26 implement program recommendations developed by DPD, the Stakeholders group, and  
27 public comment; all while continuing the Council’s intent to inspect and register rental  
28 housing units in the City as initially provided for under Ordinance 123311; and

WHEREAS, the fees that will be imposed by separate ordinance to recover the cost of the rental  
housing inspection program are intended to only cover costs to implement and administer  
the program; NOW THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

1 Section 1. Chapter 6.440, the Residential Rental Business License and Inspection  
2 Program established by Ordinance 123311 and codified as Chapter 6.440, is repealed in part,  
3 and retitled in part as a new Chapter 22.214, the Rental Housing Registration and Inspection  
4 Program. Notwithstanding the partial repeal and retitling of Chapter 6.440, Chapter 6.440 is  
5 retained for future purposes.

6 Section 2. Section 6.440.010 of the Seattle Municipal Code, which section was adopted  
7 in Ordinance 123311, is retitled and amended as follows:

8  
9 **~~((6.440.010)) 22.214.010 Declaration of Purpose~~**

10 The City Council finds that ~~((the establishment of))~~ establishing a ~~((Residential Rental~~  
11 ~~Business License))~~ Rental Housing Registration and Inspection Program is necessary to protect  
12 the public health, safety, and welfare of tenants ~~((by encouraging the proper maintenance of~~  
13 ~~rental housing, by identifying and requiring correction of substandard housing conditions, and by~~  
14 ~~preventing conditions of deterioration and blight that could adversely impact the quality of life~~  
15 ~~in the City of Seattle))~~ and prevent conditions of deterioration and blight that adversely impact  
16 the quality of life in the city. This shall be accomplished by requiring rental housing be  
17 registered and properly maintained, and that substandard housing conditions be identified and  
18 corrected.

19  
20  
21 Section 3. Section 6.440.020 of the Seattle Municipal Code, which section was adopted  
22 in Ordinance 123311, is retitled and amended as follows:

23 **~~((6.440.020)) 22.214.020 Definitions~~**

24 For purposes of this chapter, the following words or phrases have the meaning prescribed  
25 below:  
26  
27

1 1. “Accessory dwelling unit” or “ADU” means an “Accessory dwelling unit” or a  
2 “Detached accessory dwelling unit” or “DADU” as defined under “Residential Use” in  
3 ~~((Section))~~ section 23.84A.032.

4 2. “Certificate of Compliance” means the document signed and dated by a  
5 Qualified Rental Housing Inspector **and that is** submitted to the ~~((City))~~ Department with a  
6 **registration application or renewal,** as the result of an inspection conducted by a Qualified  
7 Rental Housing Inspector that certifies **that** the rental ~~((housing))~~ units that were inspected  
8 comply with the requirements ~~((of Section))~~ in section ~~((6.440.050.A))~~ 22.214.050 and are  
9 ~~((not))~~ in a condition that does not ~~((endangers or impairs or could))~~ endanger or impair the  
10 tenant’s health ~~((and))~~ or safety~~((of a tenant))~~.

11 3. “Department” means the City’s Department of Planning and Development or  
12 successor Department.

13 4. “Director” means the Director of the Department of Planning and  
14 Development or the Director’s designee.

15 ~~((3))~~ 5. “Housing Code” means the Housing and Building Maintenance Code in  
16 Chapters 22.200-22.208.

17 6. “Landlord” means the owner, lessor, or sublessor of the dwelling unit or the  
18 property of which it is a part; and in addition means any person designated as  
19 representative of the owner, lessor, or sublessor including, but not limited to, an agent, a  
20 resident manager, or a designated property manager the owner, lessor, or sublessor and  
21 any person designated as the owner’s, lessor’s, or sublessor’s representative including but  
22 not limited to an agent, resident manager, or a designated property manager; of a  
23 residential housing unit and the property where the residential housing unit is located.

1 ((4))7. “Mobile Home” means a “Mobile Home” or a “Manufactured Home” as  
2 defined in ((RCW chapter 59.20)) Chapter 59.20 RCW.

3 ((5))8. “Owner” has the meaning **given as defined** in ((Section 22.204.160))  
4 **Chapter 58.18.030(11) RCW section 22.206.160.D.**

5 ((6))9. “Qualified Rental Housing Inspector” means:

6 a. A City Housing and Zoning Inspector; or  
7  
8 b. A private inspector who is registered with the City as a qualified rental  
9 housing inspector ((pursuant to Section 6.440.050)) under section 22.214.060 and ((who))  
10 currently maintains and possesses at least one of the following credentials:

11 1) American Association of Code Enforcement ((A.A.C.E.))  
12 Property Maintenance and Housing Inspector certification;

13 2) International Code Council ((I.C.C.)) Property Maintenance  
14 and Housing Inspector certification;

15 3) International Code Council ((I.C.C.)) ((Residential))  
16 **Residential** Building **Code** Inspector **certification**;

17 4) Washington State home inspector **licensed under Chapter**  
18 **18.280 RCW**, or

19 5) Other credentials acceptable ((credential)) to the Director ((of  
20 the Department of Planning and Development establishes)) as established by rule.  
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1 ((7)) 10. “Rental unit” means a residential housing unit **that is available for rent**  
2 **or is** occupied or rented by a tenant **or subtenant available for rent, in exchange for any form**  
3 **of consideration, by a tenant.**

4 ((8)) 11. “Residential housing unit” means any structure or part of a structure in  
5 the ~~City~~ ((of Seattle)) **city** that is used or may be used as a home, residence, or sleeping place; by  
6 one or more persons((s)) including but not limited to((s)) single-family residences, duplexes, ((tri-  
7 plexes)) **triplexes**, four-plexes, multi-family dwellings, apartment buildings, condominiums,  
8 **rooming houses**, and **any other structure having** similar living accommodations.  
9

10 ((9)) 12. “~~(Residential Rental Business License)~~ **Rental Property Registration**”  
11 means a registration issued under this ((chapter)) **Chapter**.

12 **13. “Rooming house” means, for the purposes of this Chapter, a building**  
13 **arranged or used for housing and that may or may not have sanitation or kitchen facilities**  
14 **in each room that is used for sleeping purposes.**

15 ((10)) ~~13~~ 14. “Shelter” means a facility with overnight sleeping accommodations,  
16 owned, operated, or managed by a nonprofit ((agency)) **organization** or governmental entity, the  
17 primary purpose of which is to provide temporary shelter for the homeless in general or for  
18 specific populations of the homeless.  
19

20 ((11)) ~~14~~ 15. “Tenant” has the meaning given in ((Section)) **section 22.204.210.A.**

21 ((12)) ~~15~~ 16. “Transitional housing” means residential housing units owned,  
22 operated or managed by a nonprofit ((agency)) **organization** or governmental entity in which  
23 supportive services are provided to individuals and families that were formerly homeless, with  
24  
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27

1 the intent to stabilize them and move them to permanent housing within a period of not more  
2 than 24 months.

3 ((13)) **16 17.** “Unit unavailable for rent” means a residential housing unit that is  
4 not offered or available for rent as a rental unit, and that prior to offering or making the unit  
5 available as a rental unit, the owner is required to obtain a ~~((residential rental business license))~~  
6 Rental Property Registration for the ~~((building))~~ property ~~((in which))~~ where ~~a the~~ rental unit is  
7 located and comply with ~~((applicable administrative regulations))~~ all rules adopted ~~((pursuant~~  
8 ~~to))~~ under this ~~((chapter))~~ Chapter.

10 Section 4. Section 6.440.030 of the Seattle Municipal Code, which section was adopted  
11 in Ordinance 123311, is retitled and amended as follows:

12 ~~((6.440.030))~~ **22.214.030** ~~((Scope))~~ **Application Applicability**

14 **A.** The registration provisions of this ~~((chapter))~~ Chapter shall apply to all ~~((residential))~~  
15 rental ~~((housing))~~ units with the exception of:

16 ~~((A. Owner-occupied rental units;~~

17 ~~B. Units unavailable for rent;~~

18 ~~—— C. Housing accommodations in hotels, motels, inns or similar accommodations~~  
19 ~~for transient guests;~~

21 ~~D. Housing accommodations in retirement or nursing homes;~~

22 ~~E. Housing accommodations in any hospital, State-licensed community care~~  
23 ~~facility, convent, monastery or other facility occupied exclusively by members of a religious~~  
24 ~~order or an extended medical care facility;~~

1                   ~~F. Rental units that a government unit, agency or authority owns, operates or~~  
2 ~~manages, or that are specifically exempted from municipal regulation by State or federal law or~~  
3 ~~administrative regulation. This exception does not apply once the governmental ownership,~~  
4 ~~operation or management is discontinued.~~

5                   ~~G. Rental units:~~

6                                   ~~1. That receive funding or subsidies from the federal, state or a local~~  
7 ~~government.~~

8                                   ~~2. That are inspected at least every three years as a requirement of the~~  
9 ~~funding or subsidy,~~

10                                  ~~3. That provide a copy of the inspection to the Department of Planning and~~  
11 ~~Development, and~~

12                                  ~~4. For which the Director of the Department of Planning and Development~~  
13 ~~determines that the inspection is substantially equivalent to the inspection required by this~~  
14 ~~chapter.~~

15                   ~~H. Mobile homes or Manufactured Homes, both as defined in RCW chapter~~  
16 ~~59.20.~~

17                   ~~I. Accessory Dwelling Units.~~

18                   ~~J. Shelters and transitional housing.))~~

19                   **A 1. Residential housing units lawfully used as vacation rentals for periods not to**  
20 **exceed 3 consecutive months and when the unit is not consecutively used by the same individual**  
21 **or individuals for more than one three-month period;**

1                    **B 2. Residential housing units rented for not more than twelve consecutive**  
2 **months as a result of the property owner taking a work-related leave of absence such as an**  
3 **academic sabbatical;**

4                    **C 3. Residential housing units that are a unit unavailable for rent;**

5                    **D 4. Residential housing units in hotels, motels, inns, bed and breakfasts, or in**  
6 **similar accommodations that provide lodging for transient guests;**

7                    **E 5. Residential housing units in retirement or assisted-living homes as defined**  
8 **in Chapter 18.20 RCW;**

9                    **F 6. Residential housing units in any hospital, hospice, state-licensed-**  
10 **community-care facility, intermediate-care facility, or nursing home; ~~or~~**

11                    **7. Residential housing units in any convent, monastery, or other facility occupied**  
12 **exclusively by members of a religious order or congregation; **and****

13                    **G 8. Emergency or temporary-shelter accommodations;**

14                    **9. Residential housing units owned, operated or managed by a major**  
15 **educational or medical institution or by a third party for the institution; or units that a**  
16 **government entity or housing authority owns, operates or manages; or units exempted**  
17 **from municipal regulation by federal, state, or local law. This exception does not apply**  
18 **when unit ownership changes and the unit ceases to be subject to this exception; and**

19                    **10. Accessory Dwelling Units and Detached Accessory Dwelling Units**

20                    **B. The inspection provisions of this Chapter shall apply to ~~all~~ rental units that are**  
21 **included in this Rental Housing Registration and Inspection Program, with the exceptions of**

1 Residential residential housing units that receive funding or subsidies from federal, state, or  
2 local government when:

3 a. Residential housing units located within the boundaries of a major  
4 educational institution or a major medical institution that are owned by the institution; or  
5 units that a government entity or housing authority operates or manages; or units that are  
6 exempted from municipal regulation by federal, state, or local law. This exception does not  
7 apply when unit ownership changes and the unit ceases to be subject to this exception.

8  
9  
10 1. The housing units are inspected by a federal, state, or local  
11 governmental entity at least once every 3 years as a funding or subsidy requirement; and

12 2. The Department determines that the housing unit inspection by  
13 a federal, state, or local governmental entity is substantially equivalent to the inspection required  
14 by this Chapter.; and

15  
16 3. The federal, state, or local government entity provides the  
17 Department with a copy of the inspection report.

18 Section 5. Section 6.440.040 of the Seattle Municipal Code, which section was adopted  
19 in Ordinance 123311, is retitled and amended as follows:

20 ~~((6.440.040))~~ 22.214.040 ~~((Residential))~~ Rental Unit ~~((Housing Business License Required))~~

21 Registration Renewal Application and Compliance Declaration

22  
23 ~~((A. Beginning April 1, 2012, no person shall make available for rent, or rent, lease, or~~  
24 ~~let, to the public any residential housing unit without obtaining and holding a current residential~~  
25 ~~rental business license for the building in which the residential unit is located.~~

1           ~~B. The fee for a residential rental business license shall be set by Council by ordinance in~~  
2 ~~an amount sufficient only to recover the cost of carrying out the provisions of this chapter. The~~  
3 ~~fees collected shall be allocated only to that purpose.~~

4           ~~C. A residential rental business license expires on March 31 of each year.~~

5           ~~D. The residential rental business license is personal and nontransferable except as~~  
6 ~~provided in Section 6.202.120.~~

7           ~~E. Application. Application for a residential rental business license shall be made to the~~  
8 ~~Director of the Department of Executive Administration on forms provided by the Director of the~~  
9 ~~Department of Executive Administration. The application shall list and identify by address the~~  
10 ~~building and each of the residential housing units that the applicant intends to make available for~~  
11 ~~rent, or rent, lease, or let, to the public prior to the expiration of the applicant's residential rental~~  
12 ~~business license and shall include the fee due for the license.~~

13           ~~F. Renewal. A residential rental business license may be renewed by paying the license~~  
14 ~~fee for the ensuing year on or before the date of the expiration of the current license, submitting~~  
15 ~~a renewal application updating the information contained in the original application, and~~  
16 ~~submitting a certificate of compliance dated within three years and 90 days of the date of the~~  
17 ~~application for renewal, unless the Department of Planning and Development has required a~~  
18 ~~more recent certificate of compliance pursuant to Section 6.440.050.G, in which case the more~~  
19 ~~recent certificate of compliance shall be submitted. Any licensee who fails to pay the renewal~~  
20 ~~license fee on or prior to the expiration date of the business license shall be subject to penalties in~~  
21 ~~the following amounts:~~

1 1. ~~\$100 if not received on or before the last day of the month following the~~  
2 ~~expiration date.~~

3 2. ~~\$200 if not received on or before the last day of the second month following~~  
4 ~~the expiration date.~~

5 G. ~~Display of business license and certificate of compliance. Within 30 calendar days~~  
6 ~~after issuance or renewal of a residential business license, a copy of the current residential rental~~  
7 ~~business license and the most recent certificate of compliance shall be posted and remain posted~~  
8 ~~in a common area in the building that is readily visible to all tenants.))~~

10 A. With the exception of residential housing units identified in sections 22.214.030.A  
11 ~~through G, all rental units properties, containing residential housing units~~ shall be registered  
12 with the Department between January 1, 2014 and December 31, 2016; after which no **one**  
13 **person** shall rent, subrent, lease, sublease, let, or sublet to any person or entity a residential  
14 housing unit without first obtaining and holding a current rental housing registration for the  
15 property where the residential housing unit is located. **The registration shall identify all**  
16 **residential housing units on the property and shall be the only registration required for the**  
17 **residential housing units on the property. Properties with residential housing ~~Rental~~ units**  
18 shall be registered ~~accordingly to the following schedule:~~

21 1. By July 1, 2014 all properties with **10 7** or more **residential housing** units;

22 2. By January 1, 2015 all properties with **5 to 9 6** or more **residential housing**  
23 units; and

24 3. By December 31, 2016 all properties with **1 ~~or 2~~ to 4 residential housing**  
25 units.

1           B. All properties with residential housing rental units constructed after the effective  
2 date of this Chapter shall be registered within one year after the temporary or final Certificate of  
3 Occupancy is issued.

4           C. A rental housing registration shall be valid for 5 years from the date the Department  
5 issues the registration.

6           D. The rental housing registration shall be issued to the property owner identified on the  
7 registration application filed with the Department.

8           E. The fees for rental housing registration, renewal registration, registration transfer, and  
9 registration reinstatement or for other Rental Housing Registration and Inspection Program  
10 purposes shall be adopted by amending section Chapter 22.900 Seattle Municipal Code and  
11 used to carry out this Chapter.

12           F. The new owner of a registered property, or a new majority of the property owners  
13 when the property is commonly held, shall within 30 days after the registered property  
14 sale is closed; pay a registration transfer fee, update the current registration application, and post  
15 the updated registration according to section 22.214.040.I. within 30 days after the registered  
16 property sale is closed.

17           G. An application for a rental housing registration shall be made to the Department on  
18 forms provided by the Director. The application shall include, but is not be limited to:

19               1. The ~~established~~ address of the property as established by the United States  
20 Postal Service;

21               2. The King County Tax Assessor tax parcel number of the property;

22               3. The name, address, and telephone number of the property owners;

1                   4. The name, address, and telephone number of the registration applicant, if  
2 different from the property owners;

3                   5. The name, address, and telephone number of the person or entity the tenant is  
4 to contact when requesting repairs be made to their housing unit **and the contact person's**  
5 **relationship to the landlord;**

6                   ~~6. The name, address, and telephone number of the City department that~~  
7 ~~tenants can complain to about the condition of their housing unit;~~

8                   ~~6-7. A list of all **residential** housing units on the property, identified by a means~~  
9 ~~unique to each unit, that are available for rent **to the public** at any time;~~

10                   ~~8. The registration expiration date; and~~

11                   ~~79. A **statement sworn** declaration of compliance signed by the owner, under~~  
12 ~~the penalty of perjury, declaring that all housing units available for rent **to the public** and listed~~  
13 ~~in the registration application meet the standards in section 22.214.050.M. and are in a condition~~  
14 ~~that does not endanger or impair the tenant's health or safety; **and**~~

15                   ~~8-10. A statement identifying whether the conditions of the **residential** housing~~  
16 ~~units available for rent and listed on the application were established by declaration or physical~~  
17 ~~inspection by a qualified rental housing inspector; **and**~~

18                   ~~11. A statement indicating the fee due to register all rental units located on~~  
19 ~~the property.~~

20                   ~~H. A rental housing registration must be renewed according to the following~~  
21 ~~procedures:~~

1 1. A registration renewal application and the renewal fee shall be submitted at least  
2 30 days before the current registration expires;

3 2. All information required by section 22.214.040.G shall be updated as needed; and

4 3. A new declaration as required by section 22.214.040.G.9 shall be submitted; or

5 4. A copy of the certificate of compliance as required by section 22.214.050 shall be  
6 submitted, if the certificate was issued within 5 years before the date the renewal  
7 application is required to be submitted.

8 ~~A rental housing registration may be renewed by paying the registration fee on or~~  
9 ~~before the date the registration expires by submitting a complete renewal application that~~  
10 ~~updates all information contained in the original application including a new declaration as~~  
11 ~~required under section 22.214.040.G.9; and where required by this Chapter, a certificate of~~  
12 ~~compliance with the requirements of section 22.214.050 that is dated within 5 years of~~  
13 ~~submitting the renewal application.~~

14  
15  
16 I. Within 30 days after the Department issues a rental housing registration, a copy of the  
17 current registration shall be posted and remain posted in a place readily visible to the tenants in  
18 each rental unit when there is not a common area accessible to all the rental units in a multi-unit  
19 building, or shall be posted and remain posted in a place readily visible to all tenants in a  
20 common area that is accessible to all the rental units in multi-unit building.

21  
22 J. If any of the information required by subsection 22.214.050.G changes during the  
23 term of a registration, the owner shall update the information within 60 days of the  
24 information changing on a form provided by the Director.

25  
26 Section 6. A new section 22.214.045 of the Seattle Municipal Code is added as follows:

1 **22.214.045 Registration Denial or Revocation**

2 A. A rental housing registration may be denied or revoked by the Department as follows:

3 1. A registration or renewal registration application may be denied for:

4 a. Submitting an incomplete application; or

5 b. ~~Knowingly s~~Submitting a ~~falsified~~ sworn statement of compliance ~~the~~  
6 **owner knows or should have known is false** ; and

7  
8 2. A rental housing registration may be revoked for:

9 a. Failing to comply with the minimum standards in section

10 22.214.050.M.;

11 b. ~~Knowingly s~~Submitting a ~~falsified~~ certificate of compliance ~~the~~  
12 **owner knows or should have known is false**;

13 c. Failing to use a qualified rental housing inspector;

14 d. Failing to transfer a registration to a new owner as required by section

15  
16 22.214.040.F.; or

17 e. Failing to post the registration as required by section 22.214.040.I.

18 B. If the Department revokes a rental housing registration it shall notify the ~~property~~  
19 owner in writing by mailing the revocation notice by first-class mail to the address identified in  
20 the registration application. The property owner may appeal the revocation by filing an appeal  
21 with the Office of the Hearing Examiner within fifteen days of the revocation notice being  
22 mailed to the property owner. Filing a timely appeal shall stay the revocation during the time the  
23 appeal is pending before the Hearing Examiner or a court. A decision of the Hearing Examiner  
24 shall be subject to review under Chapter 36.70C RCW.  
25  
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27

1 C. If a rental housing registration or renewal is denied or revoked, the registration or  
2 renewal shall not be considered by the Director until all application or housing deficiencies that  
3 was the basis for the denial or revocation are corrected.

4 Section 7. Section 6.440.050 of the Seattle Municipal Code, which section was adopted  
5 in Ordinance 123311, is retitled and amended as follows:

6 **~~((6.440.050)) 22.214.050 Inspection and Certificate of Compliance Required~~**  
7

8 ~~((A. As a condition to the issuance or renewal of a residential rental business license, an  
9 applicant shall provide a valid certificate of compliance stating that the applicant's residential  
10 housing units that were inspected comply with the requirements of the Housing Code listed in  
11 this Section 6.440.050.A, and that there are no conditions in those units that endanger or impair  
12 or could endanger or impair the health or safety of a tenant. A qualified rental housing inspector  
13 inspecting a rental unit for a certificate of compliance under this chapter shall inspect for and  
14 certify compliance with the following requirements of the Housing Code:~~

15  
16 ~~———— 1. The minimum floor area standards for a habitable room contained in Section  
17 22.206.020.A;~~

18 ~~———— 2. The minimum sanitation standards contained in Sections 22.206.050.A,  
19 22.206.050.D, 22.206.050.E, 22.206.050.F and 22.206.050.G;~~

20  
21 ~~———— 3. The minimum structural standards contained in Section 22.206.060~~

22 ~~———— 4. The minimum sheltering standards contained in Section 22.206.070;~~

23 ~~———— 5. The minimum maintenance standards contained in Section 22.206.080.A;~~

24 ~~———— 6. The minimum heating standards contained in Section 22.206.090;~~

25 ~~———— 7. The minimum ventilation standards contained in Section 22.206.100;~~  
26  
27

1           ~~8. The minimum electrical standards contained in Section 22.206.110.A;~~

2           ~~9. The minimum standards for Emergency Escape Window and Doors contained~~  
3 ~~in Section 22.206.130.J;~~

4           ~~10. The requirements for garbage, rubbish, and debris removal contained in~~  
5 ~~Section 22.206.160.A.1;~~

6           ~~11. The requirements for extermination contained in Section 22.206.160.A.3;~~

7           ~~12. The requirement to provide keys and locks contained in Section~~  
8 ~~22.206.160.A.11;~~

9           ~~13. The requirement to provide garbage cans contained in Section~~  
10 ~~22.206.160.B.2; and~~

11           ~~14. The requirement to provide and test smoke detectors contained in Section~~  
12 ~~22.206.160.B.4.-))~~

13           A. The Department shall annually select from all **registered** properties containing  
14 **residential** rental units, ~~and~~ the units that shall be inspected by a qualified rental housing  
15 inspector for certification of compliance. The selection process shall be randomly based ~~upon~~ a  
16 methodology adopted by rule, and ~~may shall~~ include ~~at least up to~~ 10 percent of all rental units  
17 **registered** within the city ~~in any given year during the preceeding year~~. For new **residential**  
18 rental units registered under section 22.214.040.B **after January 1, 2014**, the ~~rental~~ units shall  
19 be included in the random selection process after the date the registration is required to be  
20 renewed for the first time.

1           B. Any property subject to an inspection under this Chapter shall be inspected at least  
2 once every ten years, except as provided in sections 22.214.050.C and 22.214.050.D; or as  
3 **otherwise allowed permitted** by any **other** federal, State, or City code.

4           C. In addition to the requirements in section 22.214.010.A, if the Department receives a  
5 complaint regarding a **residential** rental unit regulated under this program, the Department shall  
6 request **that** an interior inspection of the **identified** unit **identified in the complaint** be  
7 conducted by a Department inspector. If violations of the standards in section 22.214.050.M are  
8 verified within the unit, an inspection of all **other residential rental units areas of the building**  
9 **on the property** may be required **by the Director**. Inspection of all **other residential units and**  
10 **all other** areas of the building may be conducted by a private qualified rental housing inspector.

11           D. If a property subject to this Chapter has: within 2 years preceding the adoption of this  
12 Chapter been subject to 2 or more notices of violation or one or more emergency orders of the  
13 Director for violating the standards in section 22.214.050.M; or **within any two-year period**  
14 **following the adoption of this Chapter** ~~has~~ been subject to 2 or more violations or one or more  
15 emergency orders of the Director for violating the standards in section 22.214.050.M ~~within any~~  
16 ~~two-year period following the adoption of this Chapter~~; the Department may require **that all**  
17 **residential rental units on the property portions of the building**-be inspected by a Department  
18 inspector and receive a certificate of compliance with the standards in section 22.214.050.M.

19           ((B)) E. A certificate of compliance shall be ~~;~~ issued by a qualified rental housing  
20 inspector ~~and be,~~ based upon the ~~qualified rental housing~~ inspector's physical inspection ((by  
21 the ~~qualified rental housing inspector~~)) of the ((~~residential~~)) interior and exterior of the

1 **residential** rental ((housing)) units, and ~~structure that was~~ conducted not more than ((90)) 60  
2 days prior to the ((date of the)) certificate of compliance date.

3 ((C)) F. The certificate of compliance shall:

4 1. List and show compliance with the standards contained in ((Section  
5 6.440.050.A.)) section 22.214.050.M. for each ((**residential**)) **residential** rental ((housing)) unit  
6 that was inspected;

7 2. State the date of the inspection and the name, address, and telephone number  
8 of the qualified rental housing inspector who performed the inspection; ((and))

9 3. State the name, address and ((phone)) telephone number of the ((building's  
10 owner/licensee or the agent designated by the owner/licensee)) property's owner or owner's  
11 agent; and

12 4. Contain a sworn statement that the qualified rental housing inspector  
13 personally inspected all **residential** rental units listed on the certificate of compliance.

14 ~~**G. A weighted system adopted by Rule that assigns values to each inspection**~~  
15 ~~**standard in section 22.214.050 and that shall be used to determine when a rental unit has**~~  
16 ~~**passed or failed inspection shall be used by the qualified rental housing inspector when**~~  
17 ~~**inspecting rental units subject to this Chapter.**~~

18 ((D)) H. Inspection of **residential** rental units for a certificate of compliance according  
19 to sections 22.214.050.A. and B shall be accomplished as follows.

20 1. In buildings that contain more than one rental unit, an applicant may choose to  
21 have all of the rental units inspected ((or, if)) by a qualified rental housing inspector. If the  
22 building has not had conditions reported to and verified by the Department ((of Planning and

1 ~~Development,~~) that endanger or impair the health or safety of a tenant within any preceding 12  
2 months or since the last inspection required by this ((chapter)) Chapter, whichever is the most  
3 recent; an applicant may choose to have only a sample of the rental units inspected. If the  
4 applicant chooses to have a sample of the rental units inspected ~~((If the applicant chooses to~~  
5 ~~have only a sample of the rental units inspected))~~ the following requirements shall apply:

6 a. ~~((If the))~~ For buildings ((contains)) containing **20 twenty** or fewer  
7 rental units, ((no more than four)) a minimum of 2 units are required to be inspected; or

8 b. ~~((If the))~~ For buildings ((contains)) containing more than **20 twenty**  
9 rental units, no more than ((20)) **15** percent of the rental units are required to be inspected, up to  
10 a maximum of **50 fifty** rental units in each building.

11 **c . All tenants that request an inspection under section 22.214.050.I.1.f**  
12 **shall be included in the units that shall be inspected.**

13 d. The Department ~~((of Planning and Development))~~ ~~((will))~~ shall  
14 randomly select the **residential rental housing** units to be inspected **under this**  
15 **section 22.214.045** using a methodology adopted by rule.

16 **d e. The **property** owner shall retain all **the** inspection reports **prepared****  
17 **for any residential rental unit located for the inspections performed** on the **rental** property  
18 **for at least 5 years from the date the inspection is performed.**

19 ~~((2. If an applicant chooses sampling, the applicant shall provide the~~  
20 ~~Department of Planning and Development with copies of all the inspections performed on the~~  
21 ~~sampled units in order to obtain a certificate of compliance.))~~

1                                    ~~((3-))~~ **e f.** If ~~((an applicant chooses sampling and))~~ a **residential** rental  
2 unit randomly selected by the Department ~~((of Planning and Development))~~ fails the inspection,  
3 the Department ~~((of Planning and Development))~~ may require that up to 100 percent of the  
4 **residential** rental units in the building where the unit that failed inspection is located be  
5 inspected.

6                                    ~~((E))~~ **I.** Notice of Inspection to Tenants

7  
8                                    1. ~~**Before**~~ **After** the Department ~~((of Planning and Development))~~ selects the  
9 **residential** rental units to be inspected, ~~or((,)) if all the rental units are to be inspected, before~~  
10 ~~the inspection((,)) and the Department has provided written notice to the landlord of the~~  
11 ~~units to be inspected,~~ the landlord shall, **prior to any scheduled inspection,** provide at least  
12 ~~((two days<sup>2</sup>))~~ **48 72** hours advance written notice to all ~~((rental units))~~ tenants residing in the  
13 building advising the tenants that:

14  
15                                    ~~((a))~~ **a.** ~~((that some))~~ Some or all of the rental units will be inspected. If  
16 only a sample of the rental units will be inspected the notice shall identify the rental units to be  
17 inspected;

18                                    ~~((b))~~ **b.** ~~((that an))~~ A qualified rental housing inspector ~~((intends to))~~ will  
19 enter the rental unit for purposes of performing ~~((the))~~ an inspection according to this Chapter;

20                                    ~~((e))~~ **c.** ~~((the))~~ The inspection will occur on a specifically-identified date  
21 and ~~((approximate))~~ an approximate ~~((the))~~ time ~~((of the proposed inspection)),~~ and the name of  
22 the company ~~((or))~~ and person performing the inspection;

23                                    ~~((d))~~ **d.** ~~((that))~~ The tenant has the right to deny access to the rental unit,  
24 **according to Chapter 59.18.150 RCW;**  
25  
26  
27

1                                    ~~((e))~~ e. ~~((that the))~~ The tenant has the right to see the inspector's  
2 identification before the inspector enters the rental unit;

3                                    ~~((f))~~ f. ~~((that a))~~ **After notification of the scheduled inspection, aA**  
4 **tenant whose unit is not identified in the notice as being subject to an inspection, but**  
5 ~~((whose))~~ who believes their rental unit ~~((need))~~ needs repairs or maintenance ~~((should))~~ may  
6 send a written notice to the landlord, landlord's agent, or the person who collects the rent  
7 **specifying that identifies** the address of the rental unit ~~((, the name of the owner, if known,))~~  
8 and the defective condition ~~((, repair or maintenance that is needed))~~ that needs to be repaired or  
9 **the maintenance that needs to be performed maintained;**

11                                   ~~((g))~~ g. ~~((that if))~~ If the landlord fails to adequately respond to the request  
12 for repairs or maintenance, the tenant may contact the Department ~~((of Planning and~~  
13 ~~Development))~~ about the **residential rental unit's** conditions without fear of retaliation or  
14 reprisal; and

16                                    h. ~~((the))~~ The tenant may contact the Department at the address and  
17 telephone number identified in the notice ~~((at which the tenant may contact the Department of~~  
18 ~~Planning and Development))~~.

20                                    2. ~~((Upon request the))~~ The landlord shall provide a copy of the notice of  
21 inspection to the qualified rental housing inspector on **or before** the day of the inspection, **and**  
22 **shall also provide to the inspector the unit numbers to be inspected as a result of a tenant**  
23 **inspection request allowed under subsection 22.214.050.I.1.**

25                                    ~~((F))~~ J. A certificate of compliance ~~((is))~~ shall be valid and ~~((may be))~~ used for ~~((license~~  
26 ~~applications and renewals under))~~ purposes of complying with the inspection provisions of this

1 ~~((chapter))~~ Chapter for a period of ~~((three))~~ five years from the date ~~((it))~~ the certificate is issued,  
2 unless the Department ~~((of Planning and Development))~~ determines that violations of section  
3 22.214.050.M the Housing Code exist for any of the residential rental units listed in the  
4 certificate of compliance. If the Department ~~((of Planning and Development))~~ determines that  
5 violations of ~~the Housing Code~~ section 22.214.050.M exist ~~((for))~~ in any of the residential  
6 rental units listed in the certificate of compliance, the ~~((applicant))~~ property owner may be  
7 required ~~((to obtain an inspection and submit a new certificate of compliance with the annual~~  
8 ~~application for license renewal for the subsequent two years for those units for which violations~~  
9 ~~were found))~~ to have all residential rental units on the property inspected by a qualified rental  
10 housing inspector, obtain a new certificate of compliance, and pay the original registration fee.

11 K. The Department shall audit inspection reports and certificates of compliance prepared  
12 by private qualified rental housing inspectors by reviewing inspection findings and certificates of  
13 compliance to determine their completeness and accuracy. The Department may as an element  
14 of auditing inspection reports and certificate of compliance, require an owner to permit the  
15 Department to inspect residential rental units for compliance with this Chapter. If the  
16 Department determines that a violation of this Chapter exists, the owner and qualified  
17 housing inspection shall be subject to all enforcement and remedial provisions provided for  
18 in this Chapter.

19 (G) L. ((Other inspections:)) Nothing in this section precludes additional inspections  
20 conducted at the request or consent of a tenant, ~~((pursuant to))~~ under the authority of a warrant,  
21 or ~~((pursuant to the))~~ as allowed by a tenant remedy provided ((by RCW 59.18.115 of the  
22

1 ~~Residential Landlord-Tenant Act~~) for in Chapter 59.18.115 RCW, as provided under the  
2 City's existing code enforcement program, or as allowed by any other City code provision.

3 **M. Weighted values that are assigned to each inspection standard identified in this**  
4 **section 22.214.050.M shall be adopted by rule and used to determine when there are**  
5 **sufficient violations to cause a residential rental unit to pass or fail inspection.** A qualified  
6 rental housing inspector inspecting a rental unit for a certificate of compliance under this  
7 ~~((chapter))~~ Chapter shall inspect for and certify compliance with the following requirements of  
8 the Housing Code:  
9

- 10 1. The minimum floor area standards for a habitable room contained in  
11 ~~((Section))~~ section 22.206.020.A;  
12 2. The minimum sanitation standards contained in ~~((Sections))~~ sections  
13 22.206.050.A, 22.206.050.D, 22.206.050.E, 22.206.050.F and 22.206.050.G;  
14 3. The minimum structural standards contained in ~~((Section))~~ section 22.206.060.

15 **For highrise buildings subject to this Chapter, the structural standards in section**  
16 **22.206.060 shall be inspected by an individual with industry-recognized highrise inspection**  
17 **qualifications;-**

- 18 4. The minimum sheltering standards contained in ~~((Section))~~ section  
19 22.206.070;  
20 5. The minimum maintenance standards contained in ~~((Section))~~ section  
21 22.206.080.A;  
22 6. The minimum heating standards contained in ~~((Section))~~ section 22.206.090;  
23  
24  
25  
26  
27

1                   7. The minimum ventilation standards contained in ~~((Section))~~ section  
2 22.206.100;

3                   8. The minimum electrical standards contained in ~~((Section))~~ section  
4 22.206.110.A;

5                   9. The minimum standards for Emergency Escape Window and Doors contained  
6 in ~~((Section))~~ section 22.206.130.J;

7                   10. The requirements for garbage, rubbish, and debris removal contained in  
8 ~~((Section))~~ section 22.206.160.A.1;

9                   11. The requirements for extermination contained in ~~((Section))~~ section  
10 22.206.160.A.3;

11                   12. The requirement to provide keys and locks contained in ~~((Section))~~ section  
12 22.206.160.A.11;

13                   13. The requirement to provide garbage cans contained in ~~((Section))~~ section  
14 22.206.160.B.2; and

15                   14. The requirement to provide and test smoke detectors contained in ~~((Section))~~  
16 section 22.206.160.B.4.

17                   Section 8. Section 6.440.060 of the Seattle Municipal Code, which section was adopted  
18 in Ordinance 123311, is retitled and amended as follows:

19                   ~~((6.440.060))~~ **22.214.060 Private Qualified Rental Housing Inspector Registration**

20                   A. To register as a private qualified rental housing inspector ~~((RHI))~~, each registration  
21 applicant shall:

1                   1. Pay to the Director (~~(of Planning and Development)~~) the annual registration  
2 fee as specified in ~~the annual~~ (~~Department of Planning and Development fee ordinance~~)  
3 **Permit Fee Ordinance according to Chapter 22.900(-)**;

4                   2. Successfully complete (~~(an examination administered or approved by the~~  
5 ~~Director of the Department of Planning and Development.)~~) a rental housing inspector training  
6 program on the Seattle Housing and Building Maintenance Code, the Rental Housing  
7 Registration and Inspection Program, and program inspection protocols administered by the  
8 Director. Each applicant for the (~~(exam)~~) training program shall pay to the Director (~~(of~~  
9 ~~Planning and Development an examination)~~) a training fee (~~(to be)~~) set by the Director (~~(of~~  
10 ~~Planning and Development at an amount)~~) that (~~(will fund)~~) funds the cost of (~~(administering and~~  
11 ~~grading the examination)~~) carrying out the training program(-); and

12  
13  
14                   3. Provide evidence to the Department (~~(of Planning and Development)~~) that the  
15 applicant possesses a current City business license issued (~~(pursuant)~~) according to (~~(Section)~~)  
16 section 5.55.030, possesses a current certification according to section 22.214.020.1.b., and (~~(that~~  
17 ~~the applicant)~~) has successfully completed the (~~(RHI examination)~~) **training program as**  
18 **required by this section 22.214.060** within the past two years **a training program required by**  
19 **this section 22.214.060.**

20  
21                   B. (~~(Expiration of Registration)~~) All (~~(RHI)~~) rental housing inspector registrations  
22 automatically expire on January 31 of each year and must be renewed (~~(pursuant)~~) according to  
23 the provisions of (~~(subsection 6.440.060.C)~~) section 22.214.060.C. Registrations issued for a  
24 rental units after September 30 of any year shall first expire 16 months later on January 31 and  
25 on January 31 of each following year.

1 C. ~~((Renewal of Registration))~~ In order to renew a registration, the ~~((RHI))~~ **qualified**  
2 **rental housing inspector** shall:

3 1. Pay the renewal fee specified in ~~the ((Department of Planning and~~  
4 ~~Development fee ordinance))~~ **Department's annual permit fee ordinance-Chapter 22.900**; and

5 2. Provide proof of compliance with the requirements of ~~((subsections))~~ **sections**  
6 ~~((6.440.060.A.2-6.440.060.A.3))~~ **22.214.060.A.2. and 22.214.060.A.3.**  
7

8 D. ~~((Failure to Renew))~~ A ~~((RHI))~~ **qualified rental housing inspector** who fails to renew  
9 **its their** registration is prohibited from inspecting and certifying rental housing ~~((pursuant to))~~  
10 **under ((Chapter 6.440)) this Chapter** until the ~~((RHI))~~ **rental housing inspector** registers or  
11 renews a registration ~~((pursuant))~~ **according to ((subsection 6.440.060)) section 22.214.060.**  
12

13 **E. The Department is authorized to revoke a registration of a qualified rental**  
14 **housing inspector if it is determined that the inspector:**

15 **1. Knows or should have known that information on a Certificate of Compliance**  
16 **issued under this Chapter is false; or**

17 **2. Is convicted of criminal activity that occurs during inspection of a property**  
18 **regulated under this Chapter.**

19 **F. The Director shall consider requests to reinstate a qualified rental housing**  
20 **inspector registration. The Director's determination following a request to reinstate a**  
21 **revoked registration shall be the Department's final decision.**  
22

23 Section 9. Section 6.440.070 of the Seattle Municipal Code, which section was adopted  
24 in Ordinance 123311, is retitled and amended as follows:

25 ~~((6.440.070))~~ **22.214.070 ((Director to Make)) Enforcement Authority and Rules**  
26  
27

1           A. The Director is the City Official designated to exercise all powers including the  
2 enforcement powers established in this Chapter.

3           B. The Director ((of the Department of Executive Administration and the Director of the  
4 Department of Planning and Development are-)) is authorized to adopt ((, publish and enforce  
5 rules and regulations consistent with this chapter for the purpose of carrying out the provisions of  
6 this chapter)) rules as necessary to carry out this Chapter **and including** the duties of the  
7 Director under this Chapter.

8           Section 10. A new section 22.214.075 of the Seattle Municipal Code is added as follows:  
9  
10 **22.214.075 Violations and Enforcement**

11           ~~**A failure to comply with any provision of this chapter, or rule adopted according to**~~  
12 ~~**this Chapter, shall be a violation of the Chapter and subject to enforcement as provided for**~~  
13 ~~**in this Chapter.**~~

14           **A. Failure to comply with any provision of this Chapter, or rule adopted according**  
15 **to this Chapter, shall be a violation of the Chapter and subject to enforcement as provided**  
16 **for in this Chapter.**

17           **B. Upon presentation of proper credentials, the Director or duly authorized**  
18 **representative of the Director may, with the consent of the owner or occupant of a**  
19 **residential rental unit, or according to a lawfully issued inspection warrant, enter at**  
20 **reasonable times any residential rental unit subject to the consent or warrant to perform**  
21 **activities authorized by this Chapter.**

22           **C. This Chapter shall be enforced for the benefit of the health, safety and welfare of**  
23 **the general public, and not for the benefit of any particular person or class of persons.**

1                   **D. It is the intent of this Chapter to place the obligation of complying with its**  
2 **requirements upon the owner of the property and residential rental units subject to this**  
3 **Chapter.**

4                   **E. No provision of or term used in this Chapter is intended to impose any duty upon**  
5 **the City or any of its officers or employees which would subject them to damages in a civil**  
6 **action.**

7                   **Section 11. A new section 22.214.080 of the Seattle Municipal Code is added as**  
8 **follows:**

9 **22.214.080 Investigation and notice of violation**

10                   **A. If after an investigation the Director determines that the standards or**  
11 **requirements of this Chapter have been violated; the Director may issue a notice of**  
12 **violation to the owner. The notice of violation shall state separately each standard or**  
13 **requirement violated; shall state what corrective action, if any, is necessary to comply with**  
14 **the standards or requirements; and shall set a reasonable time for compliance that shall**  
15 **not be longer than thirty days and that shall not be extended.**

16                   **B. The notice shall be served upon the owner by personal service, or by first class**  
17 **mail to the person's last known address. If the address of the responsible person is**  
18 **unknown and cannot be found after a reasonable search, the notice may be served by**  
19 **posting a copy of the notice at a conspicuous place on the property.**

20                   **C. A copy of the notice of violation may be filed with the King County Department**  
21 **of Records and Elections when the owner fails to correct the violation or the Director**  
22 **requests the City Attorney take appropriate enforcement action.**

1                    **D. Nothing in this section shall be deemed to limit or preclude any action or**  
2 **proceeding to enforce this Chapter nor does anything in this section obligate the Director to**  
3 **issue a notice of violation prior to initiating a civil enforcement action.**

4                    Section ~~11~~ 12. Section 6.440.~~080~~085 of the Seattle Municipal Code, which section was  
5 adopted in Ordinance 123311, is retitled and amended as follows:

6                    ~~((6.440.080))~~ **22.214.080 085 ((License Denial, Suspension, or Revocation)) Civil**  
7 **Enforcement and Penalties**  
8

9                    ~~((A. A residential rental housing business license may be suspended, denied, or revoked~~  
10 ~~pursuant to chapter 6.202.~~

11                    ~~B. If an application for a residential rental housing business license is denied, or a~~  
12 ~~residential rental housing license is suspended or revoked, no reapplication for that license will~~  
13 ~~be considered by the Director until correction of any and all deficiencies on which the denial,~~  
14 ~~suspension, or revocation was based.~~

15                    ~~C. If an application for a license renewal is denied, no application for a license or a~~  
16 ~~license renewal will be considered by the Director until any and all deficiencies on which the~~  
17 ~~refusal to renew was based have been corrected.))~~

18                    In addition to any other remedy available at law or in equity, the following penalties shall  
19 be imposed for violating this Chapter:

20                    **A. In addition to any other remedy authorized by law or equity, civil actions to**  
21 **enforce this Chapter shall be brought exclusively in Seattle Municipal Court except as**  
22 **otherwise required by law or court rule. The Director shall request in writing that the City**  
23 **Attorney take enforcement action. The City Attorney shall, with the assistance of the**  
24

1 **Director, take appropriate action to enforce this Chapter. In any civil action filed**  
2 **according to this Chapter, the City has the burden of proving by a preponderance of the**  
3 **evidence that a violation exists or existed. The issuance of the notice of violation is not itself**  
4 **evidence that a violation exists.**

5 **AB.** Any person or entity violating or failing to comply with any requirement of this  
6 Chapter or rule adopted under this Chapter shall be subject to a cumulative civil penalty of \$150  
7 per day for the first 10 days the violation or failure to comply exists and \$500 per day for each  
8 day thereafter. A separate violation exists for each day a violation or failure to comply with any  
9 requirement of this Chapter or rule adopted under this Chapter exists.  
10

11 **B C.** Any person or entity that knowingly submits or assists in submitting a falsified  
12 inspection report or certificate of compliance, or knowingly submits falsified information upon  
13 which a certificate of compliance is issued; shall be subject to a penalty of \$1,000 in addition to  
14 the penalties provided for in subsection 22.214.080085.AB.  
15

16 **€ D.** Any property owner who fails to register a property as provided for under sections  
17 22.214.040.A and 22.214.040.B shall be subject to the following penalties:

18 1. \$500 if a complete registration application and the required fee are not  
19 received on or before the last day of the month in which the application and required fee are due;  
20

21 2. \$1,000 if a complete registration application and the required fee are not  
22 received on or before the last day of the month following the date on which the application and  
23 fee are due; and  
24  
25  
26  
27

1                   3. \$2,000 plus \$100 per day if a complete registration application and the  
2 required fee are not received on or before the last day of the third month following the date on  
3 which the application and required fee are due.

4                   **DE. Any registrant who fails to pay the registration renewal fee and submit a complete**  
5 **renewal application to the Department as provided for under section 22.214.040.H shall be**  
6 **subject to the following penalties:**

7                                   1. \$100 if the registration renewal application and required fee are not received  
8 on or before the last day of the month in which the registration expired;

9                                   2. \$200 if the registration renewal application and required fee are not received  
10 on or before the last day of the month following the expiration date of the registration;

11                                   3. \$300 plus \$50 per day if the registration renewal application and required fee  
12 are not received on or before the last day of the second month following the expiration of the  
13 registration; and

14                                   4. \$500 plus \$50 per day if registration renewal application and required fee are  
15 not received on or before the last day of the second third month following the expiration of the  
16 registration.

17                   **EF. A new owner that fails to transfer a property registration within the period required**  
18 **by section 22.214.040.F shall be subject to a \$50 daily penalty starting on the 31<sup>st</sup> day following**  
19 **the close of the property sale and continuing until the day before the date the Department issues**  
20 **the transferred registration.**

1 **F G.** The penalties in sections 22.214.~~080.A~~ **085.B** and 22.214.~~080.B~~ **085.C** ~~do not~~  
2 **apply as penalties in the context of the penalties provided for in when a violation exists**  
3 **under** sections 22.214.040.~~C D~~, 22.214.040.~~D E~~, ~~and~~ or 22.214.040.~~E F~~.

4 Section ~~12~~ **13**. Section 6.440.090 of the Seattle Municipal Code, which section was  
5 adopted in Ordinance 123311, is repealed:

6 ~~((6.440.090 Penalties~~

7  
8 ~~A. Any person violating any of the provisions or failing to comply with any of the~~  
9 ~~requirements of this chapter or any rules or regulations adopted by the Director of Executive~~  
10 ~~Administration or the Director of Planning and Development pursuant to this chapter, may be~~  
11 ~~punished by a penalty of \$150 per day for the first ten days that the violation or failure to comply~~  
12 ~~exists and \$500 per day for each day thereafter. Each person is guilty of a separate violation for~~  
13 ~~each and every day during any portion of which any violation of any provision of this chapter is~~  
14 ~~committed, continued, or permitted by such person.~~

15  
16 ~~B. Any person who knowingly submits or assists in the submission of a falsified~~  
17 ~~certificate of inspection, or knowingly submits falsified information upon which a certificate of~~  
18 ~~compliance is issued, in addition to the penalties provided in subsection 6.44.060.A above, shall~~  
19 ~~be subject to a penalty of \$1000.~~

20  
21 ~~C. For any rental unit that fails the inspection for the certificate of compliance under this~~  
22 ~~chapter, the Department of Planning and Development may issue a notice of violation under the~~  
23 ~~Housing Code and subject the violator to the penalties imposed or remedies available under the~~  
24 ~~provisions of the Housing Code.))~~

**Section 14. A new section 22.214.090 of the Seattle Municipal Code is added as**

**follows:**

**22.214.090 Appeal to Superior Court**

**Final decisions of the Seattle Municipal Court on enforcement actions authorized by this chapter may be appealed pursuant to the Rules for Appeal of Decisions of Courts of Limited Jurisdiction.**

Section ~~13~~ **15**. Severability. If any part, provision, or section of this ordinance is held to be void or unconstitutional, all other parts, provisions, and sections of this ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section ~~14~~ **16**. Database. The Department of Planning and Development shall develop and regularly maintain a database, to be made available electronically, posted on the department's website, and made available for distribution to citizens or outside agencies, of the following program elements:

A. The information disclosed in the required application materials listed in sections 22.214.040.F, 22.214.040.G, 22.214.040.G, and 22.214.040.H;

B. The address, name of property owner, and contact information for any property that is subject to a denial, suspension, or revocation under SMC 22.214.045;

C. The date and outcome of any inspection required under SMC 22.214.050.A; and

D. The information disclosed under the certificate of compliance in SMC 22.214.050.E.

Section ~~15~~ **17**. Beginning in 2014, the Department of Planning and Development shall prepare a written report, to be presented to Council by June 1 of each year, to include an evaluation of the following program elements:

1           A. The status of registration, including the extent to which previously undisclosed  
2 dwelling units have been found;

3           B. The extent to which properties that have been subject to inspection have not  
4 completed the inspection within 60 days of selection;

5           C. The results of the inspection process when a property with previous code enforcement  
6 history has been required to be inspected as a condition of receiving a registration;

7           D. If the fee associated with the registration actually reflects program costs;

8           E. The extent to which inspections have occurred on properties with a valid registration  
9 that have resulted from a complaint;

10           F. The extent to which the civil warrant process has been used; and

11           G. The extent to which audits have occurred on inspections and any related findings.

12           Section ~~16~~ **18**. This ordinance shall take effect and be in force 30 days after its approval  
13 by the Mayor, but if not approved and returned by the Mayor within ten days after presentation,  
14 it shall take effect as provided by Seattle Municipal Code section 1.04.020.

15           Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
16 signed by me in open session in authentication of its passage this  
17 \_\_\_\_ day of \_\_\_\_\_, 2012.

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22           President \_\_\_\_\_ of the City Council

23           Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2012.  
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Michael McGinn, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_

Monica Martinez Simmons, City Clerk

(Seal)