

Landlord Fairness Code

A Tenant Bill of Rights

Tacoma Municipal Code 1.100
Effective December 8, 2023

On December 8th 2023, a new law regarding rental requirements for landlords and rental rights for tenants became effective in the City of Tacoma - the Tacoma Landlord Fairness Code.

Landlords who violate this chapter can be liable for penalties of not less than \$500 and up to five times the monthly rent of the dwelling unit at issue, per violation.

- A tenant can sue their landlord for violations.
- A tenant or organization can ask the court to stop a landlord from doing something harmful.

This factsheet is provided to answer questions tenants and landlords may have regarding these new rights, but is not meant to replace the advice of an attorney.

Fees, Move-In Costs, and Notice of Rent Increase:

Landlords must now give you notice between 210 and 180 days before they plan to raise the rent. They have to give you a **2nd notice** between 120 and 90 days before the rent increase takes effect.

- If you don't pay rent on time, landlords can't charge more than \$10 per month as a late fee.

The total for all move-in costs (deposit and other fees) can't be more than the amount of one month's rent.

The pet damage deposit can't be more than 25% of the first month's rent and must be refundable if the unit has no pet damage.

Landlords can't charge other non-refundable fees, except as specifically allowed under state law.

Relocation Assistance

If your rent is raised 5% or more and you decide to move, your landlord is required to pay you relocation assistance in the following amounts:

- If rent increases 5% to 7.5% — 2 times the monthly rent
- If rent increases 7.5% to 10% — 2.5 times the monthly rent
- If rent increases more than 10% — 3 times the monthly rent

In the event that you are unable to relocate and remain in the same apartment or house at the increased rent, you must repay the relocation assistance.

Exemptions : (a) a landlord and tenant living on the same site if the site has four or fewer dwelling units; (b) tenants who have lived in the dwelling unit for less than six months; (c) a landlord that temporarily rents out the landlord's principal residence during the landlord's absence due to active-duty military service.

Health and Safety Standards

Landlords must comply with all tenant protection laws and code requirements.

Landlords in violation of these laws may not increase rent or evict a tenant.

Defense Against Evictions

The following evictions are not allowed:

1. **Students, teachers and their families can't be evicted.** This includes anyone who has legal custody of a child or student, including a parent, step-parent, adoptive parent, guardian, foster parent, or custodian; or an educator.
2. **No tenant can be evicted during the winter.** Evictions can't be carried out between November 1 and April 1.
3. **There are additional protected classes of tenants.** A tenant cannot be evicted based on their status as a member of the military, first responder, senior, family member, health care provider, or educator.

Exceptions to School Year and Cold Weather Evictions: owner or immediate family member intends to occupy the unit, unit has been condemned, landlord in shared housing asking a

roommate to vacate, sexual harassment by the tenant, drug-related nuisance on the premises, waste, nuisance, or unlawful activity on the premises, or tenant's conduct has "substantial detrimental impact" or "causes an immediate threat" to the health and safety of other tenants or the owner. NOTE: A landlord can seek court order to be exempted from eviction provisions if they can show they would experience "an undue and significant hardship" if the code were enforced.

Protecting Your Rights

If a landlord is violating your rights under the Landlord Fairness Code Initiative, there are a few things you can do:

1. Report violations to the City: although the penalties for landlords under this law are civil in nature (managed through the court system), it is important to report violations to the City of Tacoma, as there is some overlap between the Landlord Fairness Code and the City's Rental Housing Code which may be enforced through fines and other penalties.

You can report violations by dialing 311 or calling (253) 591-5000. You can also stop in to file a complaint in-person at 747 Market Street, Room 220, Tacoma, WA 98402

2. Contact Tacoma for All at: Phone: (253) — - — / Email: info@tacoma4all.org to report violations of the Landlord Fairness Code and seek advice or assistance in organizing fellow tenants who may be experiencing similar problems. It is more important than ever that tenants know their rights and how to organize to fight against landlord retaliation. Tacoma for All can help.
3. If you are facing an eviction lawsuit, find an attorney experienced in Landlord/Tenant laws in Tacoma and the State of Washington. Tacomaprobono Community Lawyers have been helping low-income clients fight for their rights for years. If they are unable to take on your particular case, they may be able to refer you to someone who can.

Contact Tacomaprobono at: (253) 572-5134 or visit their website at tacomaprobono.org