

Model Just Cause Eviction Ordinance for the City of Burien

Just Cause does not mean that a landlord cannot terminate rental agreement or evict a tenant. Remedies that are currently available to landlords to evict tenants for failure to pay rent or failure to comply are not affected by a Just Cause Eviction ordinance. It will bring clarity for both landlords and tenants on what grounds can lead to an eviction. A model ordinance for Burien would include the following **eleven** just causes for terminating a tenancy:

- A. The tenant fails to comply with a three day notice to pay rent or vacate; a ten day notice to comply or vacate, or a three day notice to vacate for waste, nuisance, drug activity, or unlawful business.
- B. The tenant habitually fails to pay rent when due which causes the owner to notify the tenant in writing of late rent five or more times in a 6 month period.
- C. The tenant fails to comply with a ten day notice to comply or vacate that requires compliance with a material term of a rental agreement or requires compliance with the landlord-tenant act.
- D. The tenant habitually fails to comply with the material terms of the rental agreement which causes the owner to serve a ten day notice to comply or vacate four or more times in a 12 month period.
- E. The owner seeks possession and gives the tenant 90 days written notice to vacate so that the owner or a member of their immediate family may occupy the unit.
- F. The tenant's occupancy is conditioned on employment on the property and the employment relationship is terminated.
- G. The owner seeks to do substantial rehabilitation in the building that requires at least one permit from the City.
- H. The owner elects to demolish the building or convert it to a cooperative, or a condominium that requires a permit from the City.
- I. The owner seeks to reduce the number of individuals residing in a dwelling unit to comply with the maximum limit of individuals allowed to occupy one dwelling unit.
- J. An emergency order requiring that the housing unit be vacated and closed has been issued and the emergency conditions identified in the order have not been corrected.
- K. The owner seeks to discontinue sharing with a tenant of the owner's own housing unit, and gives 90-days' notice to each affected tenant.

Enforcement

Just Cause eviction protections can be enforced either as a legal defense the tenant can raise in court, or by having a city agency enforce the law.

Most tenants cannot afford an attorney and are therefore at a disadvantage if they have to raise a defense in court themselves. Many tenants will not be aware they even have the right to just cause if they go to court.

A city agency, such as Code Enforcement, that enforces the law is far more effective. Tenants will be able to submit notices to the department that would receive complaints for just cause violations, and enable them to invalidate the notice and notify the landlord. This will reduce the court caseload as improper evictions would not be allowed to go forward.

Primary Benefits to Enacting Just Cause

- *Meaningful enforcement of Fair Housing laws*
- *Healthier & Safe Homes.*
- *Homelessness Prevention.*
- *Sustainable future for families in Burien*