



# City of Vancouver Tenants: New Right to 45-Day Notice of Your Rent Going Up

## Should I read this?

**Yes, if** you are a tenant (you rent your dwelling unit) in the City of Vancouver, Washington. A Vancouver ordinance (law) gives you the right to more notice from a landlord who decides to raise your rent by ten percent (10%) or more. [Vancouver Municipal Code \(VMC\) 8.46](#).

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❖ This ordinance does **not** apply if you live outside city limits. This map shows city limits: <http://tinyurl.com/o28f68a>.

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## Why more notice?

The Vancouver housing market has very low vacancy rates and high rents. Low-income renters have a hard time finding affordable rentals. Many renters facing a rent increase may need to move or make more money. A big rent hike is mostly likely to affect low-income households negatively. They need extra time for the change.

## How much notice will I get under this ordinance?

A landlord who wants to raise your rent **by ten percent (10%) or more than the rent has been during the past twelve months of the tenancy** must give you forty-five (45) days' written notice of the increase.

## When do I start paying the new rent amount?

A landlord must give you the rent increase notice 45 days before the end of your rental term for the new rent to apply on the next rental due date, unless you and the landlord have agreed that it can take effect sooner. [RCW 59.18.140](#).

**Example:** Your rent is due the first day of the month. You have a month-to-month tenancy. The landlord wants to raise your rent by January 1st the landlord must give you a notice of rent increase by mid-November.

If you get a rent increase notice and are not sure when to start paying the new amount, talk to a lawyer. This area of law is still developing. This publication provides general advice only. It is not a substitute for advice from a lawyer.

## **Does this ordinance apply to all landlords in the City of Vancouver?**

**Yes.** It applies to both of these:

- All rental agreements and leases entered into after October 21, 2015.
- All existing rental agreements and leases renewed after October 21, 2015.

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❖ Landlords should include this provision in each rental agreement and lease.

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## **What if the landlord raises my rent by 10% but does not give me enough notice?**

A rent increase that DOES NOT comply with this ordinance is unenforceable. The landlord may not issue a three-day notice to pay or vacate, charge a late fee, or bring an eviction action for not paying the increased amount.

We DO NOT recommend that you ignore a rent increase notice that does not comply with the ordinance. This risks a landlord filing an eviction lawsuit (unlawful detainer) against you. Even if you win in court, the lawsuit stays on your permanent record. This makes it hard to find a new rental in the future.

If you get a rent increase notice and are unsure if it is valid, **talk to a lawyer immediately**. This area of law is still developing. This publication provides general advice only. It is not a substitute for advice from a lawyer.

**I am looking for a place to rent. I talked to a landlord who wants to rent to me. The lease the landlord showed me wants me to give up my right to the 45-day notice. Can I sign away my right to this notice?**

**Maybe, but** we do not recommend this. A landlord may only use a rental agreement where you waive (give up) your right to a 45-day notice of rent increase **if all these are true:**

- You and the landlord agree in writing.
- The agreement is not in a standard form rental agreement (must be a separate form).
- The landlord does not have much greater bargaining power than you.
- A lawyer representing you has approved in writing of the waiver.

If a landlord asks you to sign a rental agreement that waives your right to a 45-day notice of a 10% or higher rent increase, try to get legal help.

## **Get Legal Help**

**Outside King County:** Call the CLEAR Hotline at 1-888-201-1014 weekdays from 9:15 a.m. - 12:15 p.m.

**In King County:** Call 211 for referral to a legal services provider weekdays from 8:00 am – 6:00 pm.

**Persons 60 and Over** can call CLEAR\*Sr at 1-888-387-7111 (statewide).

**Deaf, hard of hearing or speech impaired callers** can call CLEAR or 211 (or toll-free 1-877-211-9274) using a relay service of their choice.

**Apply online with [CLEAR\\*Online](https://nwjustice.org/get-legal-help) - [nwjustice.org/get-legal-help](https://nwjustice.org/get-legal-help)**

CLEAR and 211 will provide a free interpreter.

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.  
This information is current as of October 2019.

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