

Tacoma Tenants Have More Rights Under New Laws

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- ❖ **COVID-19 Update! Eviction law is changing quickly. There are temporary bans and changes to how courts handle evictions. Things may be different depending on where you live.** Get the latest information and learn about help for evictions in your area at WashingtonLawHelp.org: [Coronavirus \(COVID-19\): There are only a few reasons your landlord can evict you right now](#)
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What's new?

If you are a tenant (you rent the place where you live) in Tacoma, Washington, new Tacoma laws give you these rights:

- The right to longer notice that the rent is going up
- The right to longer notice to vacate (move) in certain situations
- more help in certain cases if you have to move and you have a low income
- The chance to pay your security deposit and other move-in costs in installments instead of all in one payment
- If your landlord violates the new law, you might have a defense to an eviction. The City could fine the landlord.

Do the new laws apply to all tenants living in Tacoma?

No. They do not apply if

- You live outside city limits. Check to see if you live inside city limits [here: www.govme.org/Common/MyTacoma/MyTacoma.aspx](http://www.govme.org/Common/MyTacoma/MyTacoma.aspx).
- You are renting from an immediate relative.

Do the new laws apply to all Tacoma landlords?

They apply to all landlords inside city limits who meet the definition in the state [Residential Landlord Tenant Act](#) at [RCW 59.18.030](#) and [59.18.040](#).

A. NOTICE FOR RENT INCREASE

How much notice do I get that the rent is going up?

The landlord must give you sixty days' written notice of the rent increase.

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- ❖ [RCW](#) stands for [Revised Code of Washington](#).
 - ❖ Any rental agreement you enter into after February 1, 2019 should mention this right to sixty days' notice for a rent increase. Even if it does not, it is still the law. TMC 1.95.090(A)(1).
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What happens if the landlord does not give sixty days' notice?

- The rent increase is unenforceable. The landlord may not issue a three-day notice to pay or vacate, charge a late fee, or bring an eviction action (unlawful detainer) if you do not pay the higher amount.
- The landlord faces a fine of up to \$500 from the City.

The notice of rent increase I got is not a 60-day notice. Can I ignore it?

No. You should never ignore a rent increase notice. Even if the notice does not comply with the law, the landlord could still file an unlawful detainer against you. Even if you win in court, the lawsuit stays on your permanent record. This can make it hard to find a new rental in the future. Read [How to Stop a Landlord from Denying Your Housing Application because of an Eviction](#), available at [WashingtonLawHelp.org](#).

If you get a rent increase notice that you do not believe is legal, **talk to a lawyer immediately**. If you have a low income, call CLEAR at 1-888-201-1014. You should also file a complaint with the City.

I am looking for a place to rent. I found a landlord who will rent to me. Her lease asks me to give up my right to the 60-day notice. Is that legal?

No. Any rental agreement you enter into after February 1, 2019 must mention your right to sixty days' notice for a rent increase. Even if it does not, that is still the law. TMC 1.95.090(A)(1).

B. NOTICE TO TERMINATE TENANCY WITHOUT CAUSE

I have a month-to-month rental agreement. The landlord wants me to move. How much notice does she have to give me?

Your landlord must give you a 60-day notice to vacate (move) to end your tenancy for no cause (no reason). 1.95.070(C).

I have a one-year lease. It ends in three months. How much notice does the landlord have to give me if she does not want to renew the lease?

The landlord must give you 60-days' notice to terminate your tenancy prior to the expiration of your lease. 1.95.070(C). No notice is required if the landlord does not renew a lease for a term.

Can the landlord ever give less than 60 days' notice?

Yes. A landlord can give less than a 60-day notice to end a tenancy for "cause" (reasons), for example:

- You did not pay the rent. The landlord can give you a 14-day notice to pay rent or vacate.

- You have permanently damaged the property. The landlord can give you a 3-day notice to vacate for waste or nuisance.
- You have broken a rule in the lease. The landlord can give you a 10-day notice to comply with (follow) the rental agreement or vacate.

I got a 60-day notice. Do I still have to pay the rent and follow the rules?

Yes. Otherwise, the landlord could issue a for-cause notice. Then

- You might have to move before 60 days is up.
- It may result in an eviction filing on your permanent record.

What if the landlord gave me less than the 60 days' notice she should have, and then filed an unlawful detainer?

Contact a lawyer immediately. You have a legal defense to the unlawful detainer. TMC 1.95.090(A)(3)(a)(1). You should also file a complaint with the City. They can fine the landlord up to \$500 for not following the new law. TMC 1.95.090(F)(1)(b).

❖ If you have a low income, call CLEAR at 1-888-201-1014.

I want to move. I am a month-to-month tenant. Do I have to give the landlord sixty days' notice?

No. If you have a month-to-month rental agreement, you only need to give twenty days' notice. [RCW 59.18.200](#).

C. NOTICE TO VACATE FOR CHANGE IN USE OR DEMOLITION

When do I have the right to 120 days' notice from the landlord?

- When the landlord plans to demolish (tear down) the place

- When the landlord is making major renovations (repairs or improvements) that force you to move
- When the landlord changes the building's use to non-residential, so you cannot live there anymore

❖ You do not have the right to 120 days' notice because the City has condemned the place (it is unfit to live in).

Can I get relocation assistance?

Yes, if one of these is true:

- You get a 120-day notice for a reason in the previous section and you have a low income.
- The City has condemned your rental. Your income does not matter in this situation.

❖ In 2019, you can get up to \$2,000 to help you move.

Along with the 120-day notice, the landlord must give you a packet explaining how to apply with the City for relocation assistance. You have 20 days from the date you got the notice and packet to apply. You must have good cause to apply late.

How low does my income have to be to get relocation assistance?

If the relocation is not due to condemnation, your total household income must be at or below half of the median income for a family your size in Pierce County.

When and how do I find out if I am getting relocation assistance?

The City will let you know by mail within fourteen days of getting your application.

Can I appeal the City's decision?

Yes. You must file a written appeal with the city's Hearing Examiner within ten days of getting the City's decision on your eligibility. Your written appeal should state

- Why you disagree with the City's decision
- What you want

TMC 1.95.080(B)(9)(a).

What happens after I file my appeal?

There will be a hearing. The Hearing Examiner must rule on your appeal within 30 days of getting your hearing request. If you disagree with that decision, you can file a Petition in Pierce Superior Court. TMC 1.95.080(B)(9)(b). Our [How to Petition for Superior Court Review - Administrative Decision Relating to Public Benefits](#) packet can help give an idea of that process and what your forms should look like. Talk to a lawyer.

Who cannot get relocation assistance?

If you do not have a low income, you cannot get relocation assistance if you get a 120-day notice.

D. PAYMENT PLAN FOR SECURITY DEPOSIT, LAST MONTH'S RENT, AND OTHER MOVE-IN FEES

I cannot pay the security deposit, last month's rent and other move-in fees at the same time. What can I do?

If you are required to pay last month's rent at the beginning of the tenancy and the total of the security deposit plus any other move-in fees you must pay is more than $\frac{1}{4}$ of the first month's rent, you can ask in writing for a payment plan.

- **Tenancies that are three months or longer:** you can ask for a three-month payment plan that starts when your tenancy starts.

- **Two-month or month-to-month tenancies:** you can ask for a two-month payment plan that starts when your tenancy starts.
- **The landlord does not have to accept payment of the first month's rent in installments.**

I have a payment plan. What happens if I miss a payment?

The landlord can serve you a 10-day notice to comply or vacate. [RCW 59.12.030\(4\)](#). If you do not pay what you owe along with your next rent payment, the landlord can file an unlawful detainer to evict you. You will have to defend yourself in court.

Where can I read the new laws?

cms.cityoftacoma.org/cityclerk/Files/MunicipalCode/Title01-AdministrationAndPersonnel.PDF.

Where can I get more info?

The City has posted info the landlord must give you at various times here: cms.cityoftacoma.org/OEHR/rentalhousing/TenantInformationPacket.pdf.

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