

April 2, 2020

VIA EMAIL

ATTN: David Postman, Kathryn Leathers, John Flanagan, Jim Baumgart, Amber Leaders

Governor Jay Inslee  
Office of the Governor  
PO Box 40002  
Olympia, WA 98504-0002

**RE: Please extend the eviction moratorium and address key gaps**

Dear Governor Inslee:

Thank you for your leadership during this crisis and for your focus on homelessness and affordable housing this year. We appreciate the initial moratorium on evictions to ensure that workers and their families are not pushed into homelessness. The inclusion of both evictions for nonpayment and evictions after expiration of twenty-day no-cause notices was very appreciated. We are writing to request that you both extend and expand the eviction moratorium to ensure people do not lose housing and are not buried in debt once the crisis passes.

Please consider the following:

**1. Prohibit fees:**

A prohibition on fees is critical because the state does not cap fees and we are getting reports from around the state that landlords are not only charging fees, but also using fees to gouge renters during this time. This includes late fees, service fees and process fees for paying rent. These fees can often accrue to total more than rent itself which will significantly diminish the ability for tenants to catch up once they begin to collect unemployment or other public benefits. Late fees also significantly threaten to collapse the ability of our state and local governments' limited rental assistance funds to pay arrears and keep people housed. Several cities throughout the state have banned late fees, including: Seattle, Spokane, Everett, Auburn, Issaquah, and Burien. Several other cities like Federal Way are also in the process of banning late fees. But all tenants need this protection and a piecemeal approach makes it harder for landlords and tenants to understand their rights and responsibilities.

**2. Apply the moratorium to fixed term leases to ensure that tenants are not forced to move during the COVID-19 crisis:**

It is difficult for tenants to relocate right now because many leasing offices are closed and the stay-at-home order discourages tenants from leaving their homes to look for new places to live. Most tenant households are not in a financial situation to afford to move either. But because Washington does not have good-cause eviction protections, landlords can refuse to renew a lease for no-cause, easily allowing them to bypass the moratorium unless this is explicitly covered, as it is in several cities like Seattle, Spokane,

Kenmore, and others.

**3. Apply the moratorium to existing stipulations and no-cause termination notices that were issued just prior to the original moratorium:**

Vulnerable tenants across the state are party to on-going stipulations - which are agreements between the tenant and the landlord that require certain actions in order for the tenant to not be evicted. The original moratorium did not clearly prohibit evictions of tenants who allegedly have violated the terms of the stipulation. Common stipulation terms include periodic back payments or behavior changes to address minor but ongoing lease violations.

Further, many tenants had already received twenty-day no-cause terminations prior to the original moratorium and some landlords are attempting to enforce them. This clearly violates the spirit of your moratorium and clarification is needed to ensure that enforcement of *any* no-cause termination notice is halted throughout the time period of the moratorium.

**4. Apply the moratorium to manufactured housing tenants who rent the land that their homes are on:**

These homeowners are also vulnerable to eviction and are oftentimes living on fixed incomes. They are at high risk of losing their manufactured home if evicted, in addition to experiencing homelessness. Many people living in these parks are working class families of color, many of whom have lost their jobs or have had their income reduced due to this crisis.

**5. Narrow the language in the original moratorium which allowed landlords to evict for health and safety threats:**

Please include explicit language that tenants may not be evicted as a “safety threat” for having contracted COVID-19, and also narrow the original language further to clarify that only tenants who are posing a significant and immediate threat to others can be evicted. The original language has allowed 10-day notices and evictions for minor compliance issues to move forward (such as having an unregistered pet or having family members staying with the renter household temporarily).

**6. Temporarily freeze rent increases:**

We are getting reports that landlords are sending out rent increase notices even during this pandemic. Since tenants cannot even find new places to live, they are facing large rent increases without any recourse. Even before this crisis, many renters lived paycheck to paycheck because of high housing costs. At a time with skyrocketing unemployment that is disproportionately impacting renters, any reprieve on rent will make it more likely people can get back on their feet when this crisis is over. In addition, prohibiting rent increases will reduce the cost to rental assistance programs.

Again, thank you for issuing the original moratorium and including evictions for nonpayment of rent and no-cause termination notices. Please extend it and include the above clarifications. We also know that rental assistance will be needed to help tenants address the arrears once the moratorium is lifted. There will be some tenants who will not be subject to unemployment insurance or other federal benefits who will need state assistance. This includes, but is not limited to, many immigrant renters and their families. We urge the state to actively consider how Washington can fill the gaps that the federal investments will not cover. We also urge the state to do more to address the looming foreclosure crisis to help keep people in their homes.

Sincerely,

Washington Low Income Housing Alliance  
Washington Community Action Network  
King County Bar Association, Housing Justice Project  
OneAmerica  
Entre Hermanos  
Real Change  
SEIU 925  
Seattle/King County Coalition on Homelessness  
Puget Sound Advocates for Retirement of Action Education Fund  
Equity in Education Coalition  
Working Washington  
Fair Work Center  
WA Federation of State Employees/AFSCME Council 28  
Poverty Action Network  
SEIU 775  
UNITE HERE Local 8  
UFCW Local 21  
Tenants Union of Washington State