Seattle Department of Construction and Inspections

Tip 608

Code Compliance

Guidelines on Seattle regulations governing safety and quality of life

Regulations Affecting Buildings Unfit for Human Habitation or Other Use

Updated January 24, 2024

This Tip summarizes our authority relating to seriously deteriorated or dangerous buildings. In general, it is not illegal for a building to be left vacant as long as it complies with the City's minimum standards for vacant buildings. See Tip 601: Unsafe and Vacant Buildings: SDCI's Inspection Program/SFD's Inspection Program, for more information about regulations affecting vacant buildings. For seriously deteriorated buildings we may go through a process to declare the building "unfit for human habitation or other use" and require the owner to repair or demolish the building.

The Housing and Building Maintenance Code (HBMC), SMC Chapter 22.208, sets forth the regulations for buildings that are unfit. They can be declared unfit because of conditions that create a risk to the health and safety of occupants, neighbors, neighboring structures or the general public.

In general, buildings determined to be unfit must be either repaired or demolished. We can order an owner to demolish and remove an unfit building ONLY if:

- The cost of necessary repairs exceeds 50 percent of the replacement value of the structure.

OR

- The building has been open to entry and has been the subject of an emergency order and police or fire department visits.

If, however, repairs are valued at less than 50 percent of replacement cost, then we can require the building to be repaired to the extent necessary to meet the minimum standards for human habitation.

DETERMINING WHETHER A BUILDING IS UNFIT

Our determination that a building is unfit starts with an inspection and investigation of the conditions that may indicate the building meets the criteria to be considered unfit. Conditions which demonstrate unfitness include (but are not limited to) the following:

- Missing or damaged walls or crumbling chimneys.
- Inadequate protection from the weather such as broken or missing windows, doors, roofing, or siding.
- Inadequate sanitation such as lack of running water or no sewage connection.
- Inadequate light, heat, air, or defective equipment such as inoperable heating equipment or defective electrical equipment.
- Lack of exits.
- Other conditions creating a risk of fire or accident.

We may consider the building to be dangerous if it was recently entered or used without the permission of the owner. Factors that indicate dangerous conditions include:

- Two or more unauthorized entries or break-ins.
- An emergency order requiring the building to be secured from unauthorized entries.
- Written notice from police or fire department that the building presents a danger to the general public and to City staff who might need to enter the building.

WHAT HAPPENS IF IT IS DETERMINED UNFIT?

When we suspect a building is unfit, we must follow specific procedures so that the owner has notice and the opportunity for a hearing. We issue a Director's Complaint and set a date for an administrative hearing. At the hearing, evidence is presented showing the level of hazard of the building. The hearing officer determines whether the information presented is sufficient to find

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the building is unfit and to support an administrative order to require action. An order will be issued that includes a deadline for the owner to take action to repair or demolish the building.

Additional time may be allowed for the permit process to be completed and the work to be performed. In that case, we will follow the project closely to make sure the repairs are made or the house is demolished in a timely manner. The owner may be subject to penalties of up to $500 a day if the deadline passes without compliance. We expect the owner to do the work required to repair or demolish the unfit building. If the owner doesn't follow through, we can seek a court order authorizing us to do the work that the owner fails to do. We may then go through a bidding and contracting process to hire a contractor to demolish the building at the owner's expense. If they fail to pay the demolition costs, a tax lien is placed on the property to ensure that we recover those costs.

See Tip 337, Demolition and Deconstruction, for more information about the requirements for a demolition permit.

MORE INFORMATION

The Housing and Building Maintenance Code is available on our website.

If you have questions or need additional information, please visit the SDCI Services Page.

LEGAL DISCLAIMER: *This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.*