

**SEATTLE RENTERS' COMMISSION
MINUTES**

Monday August 6, 2018

6:00 – 8:00 PM

Seattle City Hall, Rm L280 Boards & Commissions

Approved October 1, 2018

Commissioners Present: Beverly Aarons, Calvin Jones, David Mooney, ChrisTiana Obey Sumner
Michael Padilla Ocampo, Jessica Westgren

Commissioners Absent: Clifford Cawthon, Sherry Collier, Daniela Lopez, Laurie Rocello Torres

Commission Staff: Maureen Sheehan, Department of Neighborhoods

Guests: Councilmember Ms. Lorena Gonzalez, City of Seattle Position 9 Citywide
Mr. Jeff Slayton, Seattle City Attorney Office

Seattle Renter's Commission meeting minutes are not an exact transcript, and represent key points and the basis of discussion.

Welcome & Announcements

- Co-Chairs being absent, Ms. Maureen Sheehan called the meeting to order.

Discussion: MHA

Councilmember Ms. Lorena Gonzalez, City of Seattle City Council Position 9 Citywide

- Ms. Sheehan introduced Councilmember Ms. Lorena Gonzalez and commented that the Commission presented a statement of letter at the City Council in support of Mandatory Housing Affordability (MHA) and asked about the next steps.
- Ms. Gonzalez commented that she appreciates the work of the Commission and having the voices of renters represented in the City of Seattle. Her vision for the MHA is get it passed. The City Council is in its third year of debate and conversation on the importance of requiring income restricted housing to be developed in urban villages and urban centers throughout the city. Due to litigation, the City Council will not take action until the first quarter of 2019 or until the litigation resolves itself.
- Ms. Westgren asked about replacement affordable housing with comparable affordable housing and where would these displaced folks go in the interim when these buildings are redeveloped.
- Ms. Gonzalez mentioned preservation and tenant relocation. The preservation of existing naturally occurring affordable housing (NOAH) is an opportunity where the City advocates a preservation tax exemption for property owners of NOAH and creates incentives for property owners to bring housing up to standard in exchange for tax credits to keep the housing units at income restricted levels. Unfortunately, there has not been any success convincing the Speaker of the House and policymakers in Olympia. She added that this is an opportunity for this Commission to develop a preservation policy.
- The City of Seattle currently has a tenant relocation assistance program, but the challenge is where to relocate people that allows them to have access to the program and leverage the assistance to continue to live in the City and in income restricted housing. There have been conversation among City Councilmembers and the Rental Housing Association (RAH) because both parties have an interest in strengthening the program.

- Ms. Aarons commented about a statute of limitation on eviction records that impacts people's ability to rent.
- Ms. Gonzalez noted that she agrees with the policy and there has been an interest within the City Council to regulate this, but eviction records is an area where the State Legislature broadly interprets as a form of rent control. There is an effort by the City Council to look at a universal application system for renters to apply in one place, with a one-time fee which landlords can access.
- Ms. Westgren asked about what CM Gonzalez hears from the different districts in community meetings about MHA especially renters in established communities. Ms. Gonzalez commented that the feedback she hears is consistent with the comments in the Commissions letter. There was feedback on improvements to MHA and different views on how to address population growth and the affordability crisis. She also heard anti-MHA and anti-density comments, as they do not support upzoning and creating additional housing that will result in a loss of single family homes.
- Mr. Jones asked about the future of single family housing in Seattle. Ms. Gonzalez noted that the City should open single family homes to absorb the density. The citywide MHA proposal only impacts 6% of the city's land and 65% of the city is zone as single-family homes. She added that the current land use policies continue to persist with racism and if the City is serious about social equity and justice as it relates to affordability, it is important to continue the conversation and look at how to increase density.
- Mr. Jones commented about the current MHA litigation and asked if there is a system in place so that proposals are not subject to lawsuits. Ms. Gonzalez noted that public access to the legal system is part of the democratic process and it is up to City government to identify efficiencies within the City's policies and the internal bureaucracies.

Announcements

- The September meeting is rescheduled to September 6 due to the Labor Day holiday.
- Mr. Calvin Jones is expected to be appointed to a council-appointed seat when his Get Engage assignment ends this month.
- 1 more council-appointee, 2 mayoral-appointees, 2 commission-appointees and 1 Get Engaged program appointee are waiting to be appointed by City Council. New commission members are expected to be in place by the October 5 meeting.
- Ms. Sheehan asked the Commission to review the bylaws and begin conversations regarding attendance, excused and unexcused absences as well as the evaluation and election of co-chairs at the next meeting.
- Commission-appointed seats are required to go through a process. Mayoral and City Council appointed seats may take quicker since there is an understanding that these seats need to be filled as soon as possible. The pool of applicants for the mayoral and council appointed seats can come from anywhere and recommendations from their constituents.
- A comment was made if a conference line be available to minimize any unexcused absences due to disability or illness and Ms. Sheehan commented that she expects that any Commissioners who will be utilizing the conference line should be actively participating in the meeting.
- Commissioner's attendance will be tracked beginning October.

Minutes Approval

- There was a motion to adopt the June 4, 2018 minutes and it was seconded. The Commission voted, and the motion was adopted.
- There was a motion to adopt the June 28, 2018 minutes with an amendment by Ms. Beverly Aarons' comment that she is working with a group creating cultural and artistic space in the City of Seattle, and it was seconded. The Commission voted, and the motion was adopted.

Discussion: Law

Mr. Jeff Slayton, Seattle City Attorney Office

- Ms. Sheehan introduced Seattle City Attorney Mr. Jeff Slayton to discuss how the Commission can advocate for policy in the City and its legality.
- The Seattle Renter's Commission is created by an ordinance and codified by the Seattle Municipal Code. Its main responsibilities are to provide information and advice to the Mayor, City Council and City Departments concerning issues that affects renters including housing, affordability, transportation access, land use, renter protection, public health and safety, and monitor the effectiveness of any legislation that affects renters.
- The Commission is an advisory board and does not have the power to enact legislation, only to advise the Mayor and the City Council on what they should be doing.
- Any policies that are developed in the City are sometimes embroiled in lawsuits that may need further review before it gets implemented.
- Mr. Jones asked who appoints members of the Hearing Examiner and Mr. Slayton noted that the City Council appoints the Hearing Examiner and any decisions from the Hearing Examiner are subject to appeal to the full Council. When a City Council reviews the Hearing Examiner's decision, the City Council no longer acts as a legislative body but a quasi-judicial capacity. In a quasi-judicial role, the City Council will only decide based on the record before the Hearing Examiner.
- Ms. Aarons asked how do renter's voices be heard when developing or advocating a policy. Renters can directly contact the Office of the Mayor and the City Council or they can come and address their issues at this Commission. This Commission will provide input to the Mayor and to the City Council.
- A question was asked about who vets policies and ordinances to protect from lawsuits. Elected officials have a responsibility to do what they think is right and what is right for their constituents. The Seattle City Attorney's Office provides legal advice to all City Departments and elected officials about the legal risks and it is up to the elected officials to make an informed decision to follow the advice or continue and proceed with the policy or ordinance.
- Ms. Westgren commented about the MHA statement by this Commission and that she felt the City Department's response is not urgent.
- Mr. Slayton commented that all policies percolate in the Mayor's Office and the City Council. City Departments may have different priorities to respond to feedback. There are so many established Commissions in the city that have competing interests and policies.
- Ms. Aarons asked if this Commission can come to the City Attorney's office for advice on policies. Mr. Slayton commented that it can provide attorney-client privilege advice but cautioned that any advice that comes from the City Attorney's office should be kept confidential.
- Any policies submitted by this Commission must be voted by a majority and submit them to the Councilmember that has oversight on the Commission.
- Having public comments and inviting the public to the Commission meeting as well as outreach activities to different organizations and communities are excellent ways to bring the collective community and address their concerns about renter's issues.

Public Comments

- Ms. Sheehan opened the discussion for public comments.
- Ms. Heather Pierce of the Rental Housing Association of WA (RHAWA) commented about being partners with the Commission and answer questions about the legality of the City ordinances regarding renters. She noted that they are actively involved in talking about legal issues that are being ignored. They are in favor of several issues that were discussed including the preservation tax exemption, portable screenings, income source discrimination, etc. She reminded the Commission that they could partner on several issues and not to consider the RHA as an adversary.

- A comment was made to call and report any renter retaliation or harassment to SDCI (Seattle Department of Construction & Inspections) since all are illegal under the state law and the Seattle Municipal code.
- Mr. Andrew Sang commented about utilizing and discussing their opinions to the Seattle Times or the media directly if they felt that they do not have an avenue to express their opinions.

Work Group Report Out/Work Time

- Ms. Sheehan opened the discussion for work group breakout to provide time and opportunity for the working groups discuss their current work and projects.
- The **Housing Supply** reported about the Commission writing a statement about Accessory Dwelling Units (ADU) and Detached Accessory Dwelling Units (DADU). If the Commission needs a presentation or meetings about backyard cottages to ask Ms. Sheehan. The group mentioned that City Light can sell land surpluses below market rate value if it is for affordable housing. Sound Transit is also doing the same thing at Rainier Valley.
- The **Outreach & Engagement** group reported identifying places to conduct outreach activities. The group is also looking to the Office of Housing and Office of Civil Rights not having enough funds to do their outreach. The group will meet with Mr. Jeff Tallent to discuss the Renters Portal, a one-stop shop for renter issues. The group is also connecting with the Community Involvement Commission (CIC) for a partnership in doing outreach activities for Commission's constituents, and if they have any data about renters to share.
- The **Rent Stabilization/Rent Control** group reported about extending the amount of notice given to tenants before their rent is increased and are looking at a process to make it happen and get input from other committees.
- The **Renter Projection Law** group reported about partnering with the **Rent Stabilization/Rent Control** group to identify who in the City Council or which City Department to get more information and the specific next steps to make a viable proposal.

Commissioner Opportunity to Share

- Ms. Aarons shared about an upcoming "Economic Utopias and Dystopias" event on August 18 at Tashiro Kaplan Artist Loft, a literary exploration of economic systems on literature and community discussion about how to create an economic system that is equitable for future generations. This is a free event.
- Ms. Obeyesunere shared to pick-up an August issue of City Arts magazine and turn to page 14 for a featured article.
- Ms. Westgren shared that she was contacted by a group that rents an apartment building in the U-District and described the unlawful practices of the new ownership of the building. She suggested having the group come to this Committee to present their issues, but there were concerns about presenting at the Committee. She asked if any of the Commissioners are interested that she would gladly go with them and talk to these tenants to hear their concerns.
- Mr. Jones shared that he met with a spokesperson with a WA Housing Alliance to discuss the upcoming legislative session and priorities at Olympia. He noted that it will be important for the Commission to be informed on what is happening in Olympia regarding rent control and taxes even though it is a state-level issue.

Adjourn

- Ms. Sheehan reminded the Commission that the next meeting will be September 6th. She will work with the co-chairs to work with the agenda and if any of the Commissioners would want any relevant items in the agenda to contact her. She commented to continue working with the work groups and send any request to her for the briefings.

- No further business being held before the Commission, the meeting was adjourned at 7:59 pm.