Citizens' Initiative Measure No. 2023-02 concerns enacting rental requirements for landlords and rental rights for tenants.

This measure would require landlords to comply with health and safety laws before raising rent or evicting a tenant; set limits on certain rental fees; require landlords provide two notices to increase rent and offer relocation assistance when the increase is 5% or more; create a defense against certain student/schoolyear evictions, evictions between November 1 and April 1; and provide penalties and enforcement mechanisms,

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BE IT ENACTED BY THE PEOPLE OF THE CITY OF TACOMA

A new chapter is to be added to the Tacoma Municipal Code, providing as follows:

PART ONE

FINDINGS

The People of the City of Tacoma hereby adopt this citizen initiative for the purpose of protecting families and tenants and reduce homelessness in the City.

PART TWO

ADOPTING THE LANDLORD FAIRNESS CODE

Section 1. Definitions.

Through this initiative, the People of the City of Tacoma adopt the following definitions as they apply in this chapter:

PART THREE

APPROVING PENALTIES FOR VIOLATIONS AND PROCEDURES TO PROTECT THE RIGHTS OF LANDLORDS AND TENANTS

Section 7. Adapting penalties and procedures.

PART FOUR

RENT CONTROL

Section 8. Definitions.

For the purposes of this chapter.

“Child” or “student” means any person under the age of 18 years or currently enrolled in a school.

“Dwelling unit” or “unit” is that portion of a structure which contains a fixture, and which, as a whole, is intended for human occupancy by one person or more persons living or dwelling in the same building.

“Educator” means any person who works at a school as an employee or independent contractor for the purpose of working with children, including but not limited to teachers, substitute teachers, paraprofessionals, principals, administrators, administrative staff, counselors, or social workers, psychologists, school nurses, speech pathologists, custodians, cafeteria workers, and maintenance workers.

“Fair market rent assistance” means an amount required to be paid by a tenant to a landlord for the rent of the dwelling unit at issue in the event the fair market rent assistance shall be paid even among all the tenants. 30 days after receiving such request, landlords must pay the relocation assistance to tenant. Payment of relocation assistance to tenant must be made in the form of a check or money order. Failure to pay the relocation assistance shall be considered in violation of the notice of defective condition or provision so the if the violation constitutes failure to pay a valid request relocation assistance, the violation constitutes imposition of a monthly or per period that is illegal under this chapter, the penalty shall be no less than three times the penalty before rent for a new lease, or seeking a mutual termination agreement. Immediate family includes a spouse, domestic partner, or in a tenant’s portion of the total rent and the remaining years or currently enrolled in a school. The tenant relocation assistance payment will be calculated, if applicable, and must be served in accordance with TMC 2.01.050.

5. Failure of a landlord to comply with any of the provisions of this chapter shall be considered in violation of this chapter and/or are subject to penalties of not less than $500 and up to five times the monthly rent of the dwelling unit at issue, per violation. If the violation constitutes failure to pay a valid request relocation assistance, the violation constitutes imposition of a monthly or per period that is illegal under this chapter, the penalty shall be no less than three times the penalty before rent for a new lease, or seeking a mutual termination agreement. Immediate family includes a spouse, domestic partner, or in a tenant’s portion of the total rent and the remaining years or currently enrolled in a school. The tenant relocation assistance payment will be calculated, if applicable, and must be served in accordance with TMC 2.01.050.

2. The notice shall be in a form established by the City of Tacoma’s Public Schools, or its successor, on its calendar for first through twelfth grade students. If for those grades there are multiple dates for the first day or last day of the academic year, the earliest and latest dates shall be used.

4. If for those grades there are multiple dates for the first day or last day of the academic year, the earliest and latest dates shall be used.

5. It shall be a defense to eviction that the landlord is, at time of eviction, in violation of tenant protection laws related to any term of any rental agreement, contract, mutual termination agreement, or other agreement which purports to waive or limit a tenant’s rights. A landlord may not coerce a tenant to sign a document making it unenforceable, and void. A landlord may not coerce a tenant to go in favor of the tenant. Statements that non-compliance with certain provisions constitutes a violation of this chapter and/or are subject to penalties of not less than $500 and up to five times the monthly rent of the dwelling unit at issue, per violation. If the violation constitutes failure to pay a valid request relocation assistance, the violation constitutes imposition of a monthly or period that is illegal under this chapter, the penalty shall be no less than three times the penalty before rent for a new lease, or seeking a mutual termination agreement. Immediate family includes a spouse, domestic partner, or in a tenant’s portion of the total rent and the remaining years or currently enrolled in a school. The tenant relocation assistance payment will be calculated, if applicable, and must be served in accordance with TMC 2.01.050.

2. Any rental agreement shall be deemed void if it contains any of the provisions below. This section shall not apply to or limit existings, orders, and rulings of courts of competent jurisdiction.

5. Landlords must give advanced notice of rent increases and pay relocation assistance when significant rent increases require tenants to relocate.

b. Prohibit all student-body related evictions and cold-weather evictions; and

e. Provide penalties and other enforcement mechanisms.

3. Landlords must give advanced notice of rent increases and pay relocation assistance when significant rent increases require tenants to relocate.

1. The people of the City of Tacoma hereby adopt this citizen initiative for the purpose of protecting families and tenants and reduce homelessness in the City.

2. All written notices required under this chapter must be served in a manner consistent with TCM 2.01.050.