

EMERGENCY PROCLAMATION 2020-03

A PROCLAMATION OF EMERGENCY AND
TEMPORARY MORATORIUM ON RESIDENTIAL
TENANT LATE PAYMENT FEES AND SUPPORTING
GOVERNOR INSLEE’S MARCH 18, 2020, ORDER
PROVIDING ADDITIONAL ASSISTANCE AND
PROTECTIONS FOR RESIDENTIAL TENANTS

WHEREAS, the outbreak of the novel coronavirus (COVID-19), and its rapid progression in Washington state continues to threaten life and health of people as well as the economy;

WHEREAS, on February 29, 2020, the Governor of the State of Washington proclaimed a State of Emergency due to COVID-19;

WHEREAS, on March 5, 2020, the City Mayor issued the City of Auburn Proclamation, which proclaimed an emergency due to COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization classified the global spread of COVID-19 as a pandemic, and urged all governments to take action now to stem the spread of the disease;

WHEREAS, on March 11, 2020, the Governor issued the “Proclamation By The Governor Amending Proclamations 20-05, 20-06, and 20-07” (Proclamation 20-08), which found that COVID-19 spreads easily from person to person and may result in

serious illness or death, and continues to spread in the state with cases expected to double every five to seven days, without any expectation of ending soon;

WHEREAS, on March 11 the Centers for Disease Control and Prevention (“CDC”) issued *CDC’s Recommendations for the next 30 days of Mitigation Strategies for Seattle-King, Pierce, and Snohomish Counties based on current situation with widespread COVID-19 transmission and affected health care facilities*, which recommends “extensive community mitigation activities” to slow the spread of, and minimize morbidity and mortality caused by, COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to the COVID-19 pandemic;

WHEREAS, the social distancing and self-isolation mitigation measures needed to slow the spread of COVID-19 will likely result in continued reductions in employment and household income, thereby leaving large numbers of residential tenants unable to pay rent and increasing the risk of eviction;

WHEREAS, on March 18, 2020, the Governor expanded protections for residential tenants in Washington through a statewide moratorium on evictions of residential tenants for the next 30 days: prohibiting residential landlords from serving a notice of unlawful detainer for default payment of rent and from issuing a 20-day notice for unlawful detainer, unless the landlord attaches an affidavit attesting that the action is believed necessary to ensure the health and safety of the tenant or other individuals;

WHEREAS, the Rental Housing Association of Washington recently acknowledged that King County is experiencing the highest rate of COVID-19 illness in

the country and announced that the rental housing industry recommends a 30-day hold on writs of restitution for King County, which would prevent physical evictions of local residents during the emergency period;

WHEREAS, the economic impacts of COVID-19 have increased the risk of residential tenant evictions due to loss of income and/or employment, however, residential evictions would dramatically undermine the containment and mitigation measures needed to slow the transmission of COVID-19;

WHEREAS, residential tenant evictions negates the ability of tenants to self-isolate, would increase their risk of contracting and/or spreading COVID-19, and would put them, and high-risk individuals (older adults and individuals with underlying medical conditions), at greater risk from COVID-19;

WHEREAS, the Mayor finds that pursuant to RCW 38.52.070, it is in the public interest to protect the health and safety of persons and property and to provide emergency assistance to the victims of the public health emergency to establish a 30-day moratorium on residential tenant late fees related to delinquent payments;

WHEREAS, I have determined that it is necessary for the City to take actions authorized under Chapter 2.75 (Emergency Preparedness) of the Auburn City Code (“ACC”) and Chapter 38.52 (Emergency Management) of the Revised Code of Washington (“RCW”) including, but not limited to, the definitions in RCW 38.52.010, the authorizations in RCW 38.52.070 and RCW 38.52.110, the liability, immunity, and indemnification provisions of RCW 38.52.180, et. seq.

NOW THEREFORE I, Nancy Backus, Mayor of the City of Auburn, Proclaim as follows:

Section 1. As authorized by ACC 2.75.090, I hereby make, issue, and adopt the following emergency rule, which shall be in place for 30 days consistent with a temporary moratorium:

A landlord or owner of a residential housing unit shall not require payment of late fees or charges due to delinquent payment of rent during this temporary moratorium. All residential tenant late fees and charges shall be waived during the temporary moratorium.


Section 2. I find that the Governor's Order expanding protections for residential tenants in Washington through a statewide moratorium on evictions of residential tenants for the next 30 days is in the best interest of the people in the City of Auburn.

Section 3. As soon as practicable I will advise and consult with the City Council with respect to all actions taken under the authority of this Proclamation.

Section 4. This Proclamation will take effect on my signature, and will remain in effect for 30 calendar days.

Dated and signed: 3-18-20

CITY OF AUBURN


NANCY BACKUS, MAYOR