



CIVIL EMERGENCY ORDER

MORATORIUM ON RESIDENTIAL EVICTIONS

WHEREAS,

- A. In my capacity as Mayor, I proclaimed a civil emergency exists in the City of Everett in the Mayoral Proclamation of Civil Emergency dated March 4, 2020.
- B. The facts stated in that proclamation continue to exist, as well as the following additional facts:
- C. The World Health Organization (WHO) has declared that COVID-19 disease is a global pandemic, which is particularly severe in high risk populations such as people with underlying medical conditions and the elderly, and the WHO has raised the health emergency to the highest level requiring dramatic interventions to disrupt the spread of this disease.
- D. On March 13, 2020, the Governor of Washington state issued an emergency order announcing all K-12 schools in Washington to be closed from March 17, 2020 through April 24, 2020 to combat the spread of the disease.
- E. On March 13, 2020, the President of the United States declared a national emergency to allow the government to marshal additional resources to combat the virus.
- F. On March 11, 2020, the Governor of Washington state issued an order prohibiting gatherings of 250 people or more for social, spiritual and recreational activities in Snohomish County.
- G. The Center for Disease Control and Prevention currently indicates there are more than 167,000 cases of COVID-19 worldwide, 4,200 in the United States, and 900 in Washington State.
- H. The COVID-19 crisis has had a significant impact on the local economy impacting the retail, restaurant and other industries resulting in layoffs and reduced work hours for a significant percentage of this workforce and loss of income for small businesses.
- I. Layoffs and substantially reduced work hours will lead to widespread economic hardship that will disproportionately impact low- and moderate- income workers resulting in lost wages and the inability to pay for basic household expenses, including rent.

- J. There has been a drop in the number of tenants appearing in court for their eviction hearings in Snohomish County resulting in default judgments being entered and tenants losing substantial rights to assert defenses or access legal and economic assistance.
- K. Evictions result in a loss of housing and create housing instability, potentially increasing the number of people experiencing homelessness and creating a heightened risk of disease transmission.
- L. Jurisdictions across the nation are considering or have implemented eviction prevention to provide housing stability to dislocated workers during this unprecedented public health emergency.
- M. Art. XI, Sec. 11 of the Washington State Constitution grants cities like the City of Everett broad police powers to “make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.”
- N. The Washington State Legislature has declared a state policy to help residents who are experiencing a temporary crisis in retaining stable housing to avoid eviction from their homes, as expressed in Laws of 2019 c 356 section 1.
- O. A temporary moratorium on residential evictions during the COVID-19 outbreak will protect the public health, safety, and welfare by reducing the number of individuals and families entering into homelessness during this epidemic, which means lowering the number of people who may develop the disease or spread the disease.
- P. The civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to chapter 9.02 EMC and chapter 38.52 RCW.
- Q. EMC 9.02.020.J authorizes the Mayor to proclaim “such other orders as are imminently necessary for the protection of life and property” and take extraordinary measures to protect the public peace, safety and welfare.
- R. The COVID-19 civil emergency requires the issuance of an order that is specifically aimed at a moratorium on residential evictions during the civil emergency to keep people housed and protect the public safety, health and welfare as set forth in this Civil Emergency Order.

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF EVERETT, THAT:

I, CASSIE FRANKLIN, MAYOR OF THE CITY OF EVERETT, ACTING UNDER THE AUTHORITY OF CHAPTER 9.02 EMC, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED MARCH 4, 2020, HEREBY ORDER:

- 1. Moratorium on Evictions for Certain Causes.
 - a. Effective immediately, a moratorium on residential evictions for non-payment is hereby ordered until the earlier of the termination of the Civil Emergency declared in the

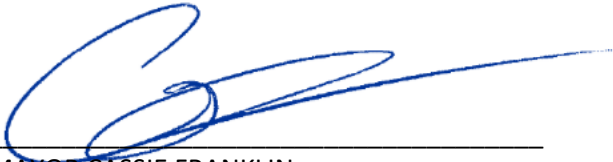


Proclamation of Civil Emergency dated March 4, 2020, or 30 days from the effective date of this Emergency Order. The decision to extend the moratorium shall be evaluated and determined by the Mayor based on public health necessity.

- b. An owner of a housing unit shall not issue a notice of termination or initiate an eviction action for non-payment of rent or otherwise act on a termination notice for non-payment of rent during this moratorium. Further, no late fees or other charges due to late payment of rent shall accrue during the moratorium.
 - c. For any pending eviction action for the non-payment of rent, it shall be a defense to any eviction action that the eviction of the tenant would occur during the moratorium. Given the public health emergency and public safety issues, a court may grant a continuance for a future hearing date for the eviction action to be heard after the moratorium.
 - d. In any action seeking a writ of restitution involving a dwelling unit where the alleged basis for the writ is the failure of the tenant or tenants to timely pay rent, it shall be a defense to the action that writ would be executed before the termination of the Civil Emergency declared by the Mayor on March 4, 2020. Given the public health emergency and public safety issues, a court may grant a continuance for a future hearing date for the eviction action to be heard after the moratorium.
2. Prior Proclamations Remain In Effect. All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this proclamation, then the provision of this proclamation shall control.
 3. Notice of Proclamation. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public.
 4. Ratification by Council. This Civil Emergency Order shall immediately, or at the earliest practicable time, be presented to the City Council for ratification and confirmation. Ratification and confirmation shall be by majority of the council then present and voting. If this Civil Emergency Order is not so ratified and confirmed, the order shall, after the vote, be void. This Civil Emergency Order shall be considered in full force and effect until the City Council shall act.



DATED this 17th day of March, 2020.



MAYOR CASSIE FRANKLIN

