

Washington Ends Commercial Eviction Restrictions & Issues New Housing Stability “Bridge” Proclamation for Residential Rentals; Seattle Extends Existing Residential and Small Business Eviction Moratorium

June 30, 2021

On June 29, 2021, Governor Jay Inslee issued [a new proclamation](#) to bridge the operational gap between the statewide residential eviction moratorium and the housing stability programs put in place by the Legislature in [Engrossed Second Substitute Senate Bill \("E2SSB"\) 5160](#).¹ Notably, unlike [prior proclamations](#), the new bridge proclamation does not include restrictions on commercial properties, which expire on June 30, 2021. The bridge proclamation is effective July 1, 2021 through September 30, 2021. Meanwhile, the Seattle Mayor issued [Executive Order 2021-06](#) extending the moratorium on residential and small business evictions in Seattle through September 30, 2021.

Washington Bridge Proclamation Limiting Residential Evictions

Under the statewide bridge proclamation, residential landlords are prohibited from evicting tenants for nonpayment of past due rent until there is an operational rental assistance program and eviction resolution program in place in their county as provided for under E2SSB 5160. Once both programs exist, landlords and tenants must first attempt to resolve their issues through the eviction resolution program before eviction proceedings can begin for unpaid rent. Additionally, landlords are prohibited from evicting tenants for nonpayment of past due rent where landlords have failed to (a) provide tenants with written notice of the funding resources and programs established in E2SSB 5160 or (b) establish a reasonable repayment plan with the tenant per E2SSB 5160.

Beginning August 1, 2021, tenants are expected to pay full rent unless they have negotiated an alternative with their landlord or are seeking rental assistance funding. A landlord is prohibited from evicting a tenant for nonpayment of rent accruing on or after August 1, 2021 if the tenant has made a full payment of rent, has made a partial payment of rent as negotiated with the landlord, has a pending application for rental assistance, or resides in a jurisdiction in which the rental assistance program has

¹ The bill addresses residential landlord-tenant relations by (i) providing certain tenant protections during the COVID-19 pandemic (such as prohibiting landlords from charging or imposing late fees for nonpayment of rent that became due between March 1, 2020 and six months following the expiration of the eviction moratorium); (ii) establishing an eviction resolution pilot program for nonpayment of rent; (iii) providing indigent tenants legal representation in eviction cases; and (iv) authorizing landlords access to certain rental assistance programs.

not yet started or is not yet accepting applications. There is a presumption that any rent payment made on or after August 1, 2021, is applied to current rent before applying toward arrears.

Moreover, the bridge proclamation prohibits landlords from treating past unpaid rent or other charges as debt until the landlord and tenant have been provided with an opportunity to resolve nonpayment through an eviction resolution pilot program.

Unlike the prior proclamations, the bridge proclamation does not apply to nontraditional housing, such as hotels and motels, Airbnbs, long-term care facilities, and camping areas.

Seattle Residential and Small Business Eviction Moratorium

The Seattle Mayor extended the moratorium on evictions of small business and nonprofit commercial tenants through September 30, 2021. Other restrictions on commercial landlords in Seattle also remain in effect, including restrictions on raising rent, requiring landlords to enter into payment plans for overdue rent, and prohibiting charging late fees and interest during the COVID-19 state of emergency. Read more about these restrictions [here](#).

The Mayor also extended the moratorium on residential evictions through September 30, 2021, when [Ordinance 126075](#), which provides a defense against evictions due to hardship from COVID-19 for six months, goes into effect.

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