
HOUSING AUTHORITY OF THE CITY OF SEATTLE

MANUAL OF OPERATIONS

SUBJECT: Evictions

SCOPE: This policy applies to residents of federally-subsidized public housing operated by the Seattle Housing Authority. Residents of public housing units subject to management agreements, partnership agreements, regulatory agreements and/or financial agreements that have been incorporated into a management plan approved by HUD and/or SHA; the policies set forth in those documents shall take precedence for residents of such units.

POLICY:

Households may be evicted for any substantial or repeated breach of obligations contained in the resident's dwelling lease and for any violation of law. Household evictions shall comply with HUD regulations, the laws of the State of Washington, and ordinances of the City of Seattle.

SHA shall terminate the tenancy of a resident if it is determined that any member of the household has ever been convicted of manufacture or production of methamphetamine in any building, complex or development in which a public or assisted dwelling unit is located, including common areas and grounds.

SHA may also evict a household for any criminal activity that threatens the health, safety or right to peaceful enjoyment of the building, complex or development by other residents; or threatens the health, safety, or right to peaceful enjoyment of persons residing in the immediate vicinity of the building, complex or development. SHA may evict the household, whether the resident, household member or guest has been arrested for, or convicted of any criminal activity.

IMPLEMENTING POLICY:

Residents who are to be evicted shall be provided official notice of the eviction. The notice shall state the reasons for the eviction and, when the resident is entitled to a grievance hearing, shall inform the resident of his or her rights under the grievance policy (see L12.9-1).

Families of servicemen and servicewomen shall be provided the special protections set forth in the Soldiers' and Sailors' Civil Relief Act.

Before eviction from the dwelling unit, households have a right to a due process hearing in court. If the Housing Authority prevails in an eviction action, the court awards a judgment to the Authority for any money the resident owes the Authority. The court also awards a Writ of Restitution, which is an order to the King County Sheriff's Department to remove the resident, the household, and the household's belongings from the dwelling unit.

A Writ of Restitution can be issued by the court only after the resident has had an opportunity to be heard or has failed to appear in court to contest the eviction.