

Code Compliance

— guidelines on Seattle regulations governing safety and quality of life

Regulations Affecting Buildings Unfit for Human Habitation or Other Use

Updated February 2, 2009

When a building in Seattle is vacant or in a serious state of disrepair, neighbors often complain to the Department of Planning and Development (DPD), asking that the City take action to demolish or repair the structure.

This Client Assistance Memo (CAM) summarizes DPD's authority relating to seriously deteriorated buildings. In general, it is not illegal for a building to be left vacant as long as it complies with the City's minimum standards for vacant buildings. See CAM 601, *Unsafe and Vacant Buildings: DPD's Inspection Program/SFD's Inspection Program*, for more information about regulations affecting vacant buildings. For seriously deteriorated buildings, DPD may require owners to repair or demolish buildings unfit for human habitation or other use.

The Housing and Building Maintenance Code (HBMC), SMC Chapter 22.208, sets forth the regulations for buildings unfit for human habitation or other use because of conditions that create a risk to the health and safety of occupants, neighbors, neighboring structures or the general public.

In general, buildings found to be unfit for human habitation or other use must be either repaired or demolished. DPD can order an owner to demolish and remove a building ONLY if the cost of necessary repairs exceeds 50 percent of the replacement value of the structure. If repairs are valued at less than 50 percent of replacement cost, DPD can require the building to be repaired to the extent necessary to meet the minimum standards for human habitation.

A determination by DPD that a building is unfit for human habitation or other use depends upon an inspec-

tion which shows that the building is unsafe. Conditions which demonstrate unfitness include (but are not limited to) the following:

- structural members of insufficient strength to carry imposed loads (such as missing or damaged walls or crumbling chimneys);
- inadequate protection from the weather (such as broken or missing windows, doors, roofing, or siding);
- inadequate sanitation (such as lack of running water or no sewage connection);
- inadequate light, heat, air or defective equipment (such as inoperable heating equipment or defective electrical equipment);
- lack of exits; and
- conditions creating a risk of fire or accident.

When DPD inspection staff believe a building is unfit, notice is provided to the owner and posted at the building, and then a Director's hearing is scheduled that takes place at least 10 days after the date of the notice. If the hearing results in confirmation that the building is unfit, the Director will also determine if the building must be repaired or demolished. The Director will establish a compliance date, a deadline for the owner to take action to repair or demolish the building.

When needed repairs require a building permit from DPD, adequate time may be allowed for the permit process to be completed and the work performed. In that case, DPD will follow the project closely to make sure the corrective action is completed in a timely manner.

When an owner fails to act to comply with a notice to repair or demolish a building, DPD can obtain a court order authorizing the City to take action. This involves a bidding and contracting process. Owners are billed for the work, and if they fail to pay, a tax lien is placed on the property to ensure that the City recovers its costs. Failure to comply with an Order of the Director requiring that a building be repaired or demolished may subject the owner of the property to a cumulative civil penalty of \$500 a day.

www.seattle.gov/dpd



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Applications to Demolish Housing and Inspection Fees

It is unlawful to demolish housing without a permit for a replacement use. SMC 23.40.006. One exception to this rule is where the Director determines that the housing unit is unfit for human habitation or other use and the cost to repair the unit exceeds 50 percent of its replacement cost.

As of 2009, the fees for advisory inspections requested pursuant to the HBMC are \$415 for the first unit and \$124.50 for each additional unit. For updated fees (post-2009) or additional fee information, please see the Fee Subtitle at www.seattle.gov/dpd/about/fees.

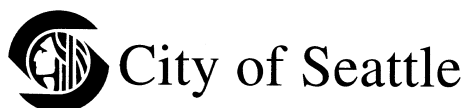
Getting More Information

The HBMC is available from the DPD Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave., (206) 684-8467. It is also available on DPD's website at www.seattle.gov/dpd/codes.

If you have questions or need additional information, please contact the DPD's Code Compliance Division at (206) 615-0808, visit them on the 19th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, or visit www.seattle.gov/dpd/csc.

Access to Information

Links to electronic versions of DPD **Client Assistance Memos (CAMs)** and other helpful publications are available on our website at www.seattle.gov/dpd/publications. Paper copies of these documents are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Avenue in downtown Seattle, (206) 684-8467.



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REQUEST FOR ADVISORY HOUSING CODE INSPECTION OF UNFIT BUILDINGS

(This form is not to be used for Condominium or Cooperative Conversion)

An advisory inspection to ascertain whether the building is unfit according to the standards in the Seattle Housing and Building Maintenance Code is hereby requested. If the requesting party is not the owner, please make certain that the owner has authorized the inspection to take place.

Please submit this completed form and the other requested information to DPD's Code Compliance Division for a case number. Once you have your case number please take your check payable to the City of Seattle in the amount of \$_____, based on the current inspection fee of \$415 for the first unit and \$124.50 for each additional unit, for each building to be inspected, to the cashier at the Seattle Municipal Tower, 700 Fifth Ave., Suite 2000. Once you have paid you may obtain an appointment with an inspector.

Please include the following information with your application.	
Application Checklist:	Please include a short description: (Cost of repairs must exceed 50% of replacement value.)
<input type="checkbox"/> Photos Inside	
<input type="checkbox"/> Photos Outside	
<input type="checkbox"/> Structurally Unsound	
<input type="checkbox"/> Contaminated	
<input type="checkbox"/> Other Agency Involvement	
<input type="checkbox"/> Litigation Guarantee	
Attached to this application is a copy of a litigation guarantee from a licensed title company indicating all persons having any ownership interest in the building(s) or premises. The Inspector is authorized to gain access to the building in order to make the inspection by contacting:	
Number of building units:	Number of dwelling units:
OWNER OF BUILDING:	
Building Address:	
2nd Building Address:	
Applicant's Name:	Applicant's Telephone:
Applicant's Address:	
Signature of Applicant:	Date: