

From: [Nora Gierloff](#)
To: [Laurel Humphrey](#); [City Council All](#)
Cc: [David Cline](#)
Subject: Re: City of Tukwila Housing Crisis In Work
Date: Monday, May 9, 2022 1:00:55 PM

Councilmembers,

You received an email from Jack Wall regarding a property located at 13526 53rd Avenue South. It appears that this was originally built as a duplex in 1920 according to King County Assessor records. At some point years ago it was converted to a fourplex. The owner has not provided any documentation that the conversion was legally permitted and neither the County nor the City have any records to show that the conversion was legally approved.

The City discovered the conversion when the rental housing licensing program started, but at that time the decision was to only inspect for life safety issues. Due to concerns by landlords and the effort to start up the program we made the decision not to enforce zoning rules through the rental housing program. The property has been issued rental licenses for the four units since 2013.

Now that the property owner has passed the property is on the market and the seller would like the City to tell purchasers that it is a legally non-conforming fourplex. However, it is zoned Low Density Residential (LDR), only single family residences and ADUs are allowed in the zone, and the owner has not provided any documentation that the conversion was legally permitted.

The City's general approach is to grant legal non-conforming status when we annex structures that appear to have met the County's regulations at the time of construction even though they don't comply with Tukwila's current zoning. Given the King County Assessor records we would be willing to allow the structure to revert back to use as a duplex. The City Attorney has said that the property could be sold in "as-is" condition. However, it may not be marketed as a "fourplex," and the new owner must still convert the property into a permitted use under the Municipal Code.

The site is adjacent to RCM zoning and the owner could potentially pursue a rezone to MDR which does allow duplexes, triplexes, and fourplexes. However, there is no guarantee that this would be approved and rezones submitted in 2022 would not be considered by the Council until 2023 at the earliest. If the property owner submitted a rezone application we would allow the status quo to continue until the Council made a decision on the rezone.

This site is an example of "missing middle" housing that can be compatible with single family areas. Even though state legislation mandating additional housing types in single family zones did not pass this year the Council may want to consider loosening housing type restrictions as we update the Comprehensive Plan. If the Council indicated that they were interested in incorporating additional housing types into the LDR zone that might provide a path to legalization for this structure we would also allow the status quo to continue.

Nora Gierloff, AICP
Tukwila DCD Director

From: Laurel Humphrey <Laurel.Humphrey@TukwilaWA.gov>
Sent: Friday, April 29, 2022 4:28 PM
To: City Council All <CityCouncilAll@TukwilaWA.gov>
Cc: David Cline <David.Cline@TukwilaWA.gov>; Nora Gierloff <Nora.Gierloff@TukwilaWA.gov>
Subject: FW: City of Tukwila Housing Crisis In Work

Dear Councilmembers, see below. Because this also was sent to the Mayor, I checked with David and Administration is working with the City Attorney on options and a detailed response.

Thanks,
Laurel

From: J. Wall <wahl777@aol.com>
Sent: Thursday, April 28, 2022 12:21 PM
To: Mayor@tukwila.gov; CityCouncil <CityCouncil@TukwilaWA.gov>
Subject: City of Tukwila Housing Crisis In Work

Good Afternoon,
My name is Jack Wall and I am the Personal Representative for the Estate of Eva Painter. I sent the email below to the City of Tukwila Code Enforcement Team and I just want to make you aware a situation I am up against with the city's Code Enforcement team. That team has done an excellent job of applying appropriate codes that prevent me from selling the property at 13526 53 avenue south as a 4plex. When my mom's estate comes out of probate this property will change ownership and the City of Tukwila will no issue a new rental license.

Please read the email below and acquaint yourself with the people I will have make move out when I sell the property. Please let me know if there is anything you can do prevent this.
Thank-You

Jack Wall PR

-----Original Message-----

From: J. Wall <wahl777@aol.com>
To: amy.wardian@tukwilawa.gov <amy.wardian@tukwilawa.gov>
Sent: Tue, Apr 26, 2022 6:15 pm
Subject: Rental License RENT13-000#

Good Afternoon Amy
My listing agent for the property at 13526 53 avenue south was told by you that we could proceed with selling the property as a 4 plex. Today Lori Solberg told me that we cannot. I was scheduled to review offers tomorrow as a 4 plex. Can you explain to me what happened? The lady you spoke with over the phone was Nalani the assistant realtor for this listing.

I really think the City of Tukwila is taking a hard stance against the residents who live there. The property has been well maintained and these people have caused no problems. Now these people will have be evicted by either me or the new owner. This has been home for people who lived there 4 years Apt 1, 12 Years Apt 2, 15 years Apt 3 and over 15 years for Apt 4. I don't even refer to them in conversation as tenants. Instead I call them residents. My wife Lee and I have fixed toilets, plumbing leaks and all of the routine maintenance including mowing the huge yard even when my mom owned it. The property is by far the best maintained property in the neighborhood. This allowed me to keep the rents far below market. Apt 1 3 bedroom \$1500. Apt 2 two bedroom \$790. Apt 3 one bedroom \$640. Apt 4 Studio \$590. And I pay all the utilities gas, electric, waste disposal water and sewer. Even at these rates one of the residents is receiving rental assistance from King County. Probably now you are thinking what an idiot, but at least I have a heart and some compassion for people who don't have as much as Lee and I. In this case at least I cannot say that for the City of Tukwila.

I know I cannot guarantee that the next owner is not going to be a real SOB, but I also have faith that the next owner is likely to be someone more like me. Keep the place 100% occupied by keeping the rents low and the property neat and orderly. I highly doubt some ruthless developer is going to buy that property. I think we should be able to work something.

Sincerely

Jack Wall.

CAUTION: This email originated from outside the City of Tukwila network. Please **DO NOT** open attachments or click links from an unknown or suspicious origin.