

**RCW 59.18.040 Living arrangements exempted from chapter.** The following living arrangements are not intended to be governed by the provisions of this chapter, unless established primarily to avoid its application, in which event the provisions of this chapter shall control:

(1) Residence at an institution, whether public or private, where residence is merely incidental to detention or the provision of medical, religious, educational, recreational, or similar services including, but not limited to, correctional facilities, licensed nursing homes, monasteries and convents, and hospitals;

(2) Occupancy under a bona fide earnest money agreement to purchase or contract of sale of the dwelling unit or the property of which it is a part, where the tenant is, or stands in the place of, the purchaser;

(3) Occupancy under a written rental agreement entered into by a seller and buyer of a dwelling unit, for the seller to retain possession of the dwelling unit after closing of the sale of the dwelling unit, if the conditions in (a) through (c) of this subsection are satisfied.

(a) The rental agreement permits the seller to remain in the dwelling unit for no more than three months after closing, and the buyer does not accept any rent payments from the seller after three months from closing;

(b) At the time of closing of the sale, the dwelling unit was not a distressed home as defined in chapter 61.34 RCW; and

(c) During negotiation of the purchase agreement or at the time of closing of the sale, the seller was represented by an attorney licensed to practice law in this state or by a real estate broker or managing broker licensed under chapter 18.85 RCW;

(4) Residence in a hotel, motel, or other transient lodging whose operation is defined in RCW 19.48.010;

(5) Rental agreements entered into pursuant to the provisions of chapter 47.12 RCW where occupancy is by an owner-condemnee and where such agreement does not violate the public policy of this state of ensuring decent, safe, and sanitary housing and is so certified by the consumer protection division of the attorney general's office;

(6) Rental agreements for the use of any single-family residence that are incidental to leases or rentals entered into in connection with a lease of land to be used primarily for agricultural purposes;

(7) Rental agreements providing housing for seasonal agricultural employees while provided in conjunction with such employment;

(8) Rental agreements with the state of Washington, department of natural resources, on public lands governed by Title 79 RCW;

(9) Occupancy by an employee of a landlord whose right to occupy is conditioned upon employment in or about the premises. [2023 c 22 s 1; 1989 c 342 s 3; 1973 1st ex.s. c 207 s 4.]