
HOUSE BILL 1064

State of Washington

61st Legislature

2009 Regular Session

By Representatives O'Brien, Warnick, and Wallace

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1 AN ACT Relating to the unauthorized occupation of rental units; and
2 amending RCW 59.12.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 59.12.030 and 1998 c 276 s 6 are each amended to read
5 as follows:

6 A tenant of real property for a term less than life is guilty of
7 unlawful detainer either:

8 (1) When he or she holds over or continues in possession, in person
9 or by subtenant, of the property or any part thereof after the
10 expiration of the term for which it is let to him or her. When real
11 property is leased for a specified term or period by express or implied
12 contract, whether written or oral, the tenancy shall be terminated
13 without notice at the expiration of the specified term or period;

14 (2) When he or she, having leased property for an indefinite time
15 with monthly or other periodic rent reserved, continues in possession
16 thereof, in person or by subtenant, after the end of any such month or
17 period, when the landlord, more than twenty days prior to the end of
18 such month or period, has served notice (in manner in RCW 59.12.040

1 provided) requiring him or her to quit the premises at the expiration
2 of such month or period;

3 (3) When he or she continues in possession in person or by
4 subtenant after a default in the payment of rent, and after notice in
5 writing requiring in the alternative the payment of the rent or the
6 surrender of the detained premises, served (in manner in RCW 59.12.040
7 provided) in behalf of the person entitled to the rent upon the person
8 owing it, has remained uncomplied with for the period of three days
9 after service thereof. The notice may be served at any time after the
10 rent becomes due;

11 (4) When he or she continues in possession in person or by
12 subtenant after a neglect or failure to keep or perform any other
13 condition or covenant of the lease or agreement under which the
14 property is held, including any covenant not to assign or sublet, than
15 one for the payment of rent, and after notice in writing requiring in
16 the alternative the performance of such condition or covenant or the
17 surrender of the property, served (in manner in RCW 59.12.040 provided)
18 upon him or her, and if there is a subtenant in actual possession of
19 the premises, also upon such subtenant, shall remain uncomplied with
20 for ten days after service thereof. Within ten days after the service
21 of such notice the tenant, or any subtenant in actual occupation of the
22 premises, or any mortgagee of the term, or other person interested in
23 its continuance, may perform such condition or covenant and thereby
24 save the lease from such forfeiture;

25 (5) When he or she commits or permits waste upon the demised
26 premises, or when he or she sets up or carries on thereon any unlawful
27 business, or when he or she erects, suffers, permits, or maintains on
28 or about the premises any nuisance, and remains in possession after the
29 service (in manner in RCW 59.12.040 provided) upon him or her of three
30 days' notice to quit;

31 (6) (~~(A person who)~~) When he or she, without the permission of the
32 owner and without having color of title thereto, enters upon land of
33 another and (~~who~~) fails or refuses to remove therefrom after three
34 days' notice, in writing and served upon him or her in the manner
35 provided in RCW 59.12.040. Such person may also be subject to the
36 criminal provisions of chapter 9A.52 RCW; (~~or~~)

37 (7) When he or she commits or permits any gang-related activity at
38 the premises as prohibited by RCW 59.18.130; or

1 (8) When he or she, without denominated periodic tenancy or
2 denominated rental amount or ownership interest, occupies the land of
3 another and fails or refuses to remove therefrom after twenty days'
4 notice in writing and served upon him or her in the manner provided in
5 RCW 59.12.040. This subsection does not apply to agricultural workers.

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