

2 **SB 6001** - S AMD 040  
3 By Senator Carlson

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5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 59.18.150 and 1989 c 342 s 7 and 1989 c 12 s 18 are  
8 each reenacted and amended to read as follows:

9 (1) The tenant shall not unreasonably withhold consent to the  
10 landlord to enter into the dwelling unit in order to inspect the  
11 premises, make necessary or agreed repairs, alterations, or  
12 improvements, supply necessary or agreed services, or exhibit the  
13 dwelling unit to prospective or actual purchasers, mortgagees, tenants,  
14 workers, or contractors, or to allow for the inspection of a dwelling  
15 unit by a fire official for violations of the fire code when the fire  
16 official has reason to believe that there exist conditions which  
17 constitute a distinct hazard to life or property as provided in  
18 subsection (2) of this section.

19 (2) A landlord may not deny a fire official the right to inspect a  
20 dwelling unit under subsection (1) of this section for violations of  
21 the fire code when the fire official has reason to believe that there  
22 exist conditions which constitute a distinct hazard to life or  
23 property. A landlord may not deny a fire official the right to inspect  
24 all portions of a rental building other than the dwelling unit,  
25 including but not limited to common areas and those areas that contain  
26 electrical, plumbing, and mechanical equipment and facilities used for  
27 the operation of the rental building, for compliance with state and  
28 local fire codes. Nothing in this subsection is intended to require a  
29 landlord to obtain a court order for entry over a tenant's objection.

30 (3) Upon written notice of intent to seek an order, when a tenant  
31 or landlord denies a fire official the right to inspect a dwelling  
32 unit, a fire official may immediately seek and a court of competent  
33 jurisdiction, upon a showing of probable cause that fire code  
34 violations exist in the dwelling unit which constitute a distinct  
35 hazard to life or property, shall issue an order allowing inspection of  
36 the dwelling unit.

1 Upon written notice of intent to seek an order, when a landlord  
2 denies a fire official the right to inspect portions of a rental  
3 building other than a dwelling unit, as described in subsection (2) of  
4 this section, a fire official may immediately seek and a court of  
5 competent jurisdiction shall issue an order allowing inspection of  
6 portions of a rental building other than a dwelling unit.

7 The superior court and courts of limited jurisdiction organized  
8 under Titles 3, 35, and 35A RCW have jurisdiction to issue such orders.

9 (4) "Fire official" means any fire official authorized to enforce  
10 the state or local fire code.

11 (5) The landlord may enter the dwelling unit without consent of the  
12 tenant in case of emergency or abandonment.

13 ~~((+3+))~~ (6) The landlord shall not abuse the right of access or use  
14 it to harass the tenant. Except in the case of emergency or if it is  
15 impracticable to do so, the landlord shall give the tenant at least two  
16 days' notice of his or her intent to enter and shall enter only at  
17 reasonable times. The tenant shall not unreasonably withhold consent  
18 to the landlord to enter the dwelling unit at a specified time where  
19 the landlord has given at least one day's notice of intent to enter to  
20 exhibit the dwelling unit to prospective or actual purchasers or  
21 tenants. A landlord shall not unreasonably interfere with a tenant's  
22 enjoyment of the rented dwelling unit by excessively exhibiting the  
23 dwelling unit.

24 ~~((+4+))~~ (7) The landlord has no other right of access except by  
25 court order, arbitrator or by consent of the tenant.

26 ~~((+5+))~~ (8) A landlord or tenant who continues to violate this  
27 section after being served with one written notification alleging in  
28 good faith violations of this section listing the date and time of the  
29 violation shall be liable for up to one hundred dollars for each  
30 violation after receipt of the notice. The prevailing party may  
31 recover costs of the suit or arbitration under this section, and may  
32 also recover reasonable attorneys' fees.

33 (9) Nothing in this section is intended to abrogate or modify in  
34 any way any common law right or privilege."

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1           On page 1, line 2 of the title, after "violations;" strike the  
2 remainder of the title and insert "and reenacting and amending RCW  
3 59.18.150."

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