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SENATE BILL 6645

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State of Washington 57th Legislature

2002 Regular Session

By Senators Hochstatter, Swecker, Carlson, Stevens and Roach

Read first time 01/24/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to providing for the immediate eviction of a tenant  
2 who is involved in criminal actions or unlawful civil disruptions;  
3 adding a new section to chapter 59.18 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that under existing  
6 landlord tenant laws, persons who are renting or leasing properties, as  
7 well as their agencies and neighbors of the properties, do not have  
8 means to immediately evict disruptive tenants involved in criminal  
9 actions or unlawful civil disruptions.

10 The legislature further finds that with the absence of an immediate  
11 legal means to remove disruptive tenants, the property owners, their  
12 agents, and their neighbors all suffer significant losses in the  
13 property and in the quiet enjoyment of the property. Such losses  
14 continue to grow when a disruptive tenant is allowed to remain on the  
15 premises pending court action.

16 The legislature intends to protect property owners, agents, and  
17 neighbors from further mental anguish and financial loss by providing  
18 for the immediate eviction of persons participating in criminal actions  
19 or unlawful civil disruptions.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 59.18 RCW  
2 to read as follows:

3        (1) A landlord, with supporting evidence and documentation, may  
4 request a court to authorize the immediate eviction of a tenant, if the  
5 tenant has:

6            (a) Violated maximum noise levels under chapter 70.107 RCW;

7            (b) Committed an act that is considered a moral nuisance under RCW  
8 7.48A.020;

9            (c) Destroyed property under a state of emergency under RCW  
10 43.06.230;

11           (d) Possessed stolen property as defined in RCW 9A.56.140;

12           (e) Operated a vehicle with excessive speed while on public or  
13 private property or in any other unlawful manner of using or operating  
14 a vehicle;

15           (f) Vandalized the landlord's property or other properties. Acts  
16 of vandalism on the property include acts of littering on the property;

17           (g) Committed an act of domestic violence as defined in RCW  
18 26.50.010;

19           (h) Misbranded drugs by misleading representation under RCW  
20 69.04.530;

21           (i) Committed an alcohol or drug relation violation under RCW  
22 66.44.365, or has a juvenile living with the tenant who has committed  
23 such a violation;

24           (j) Possessed drugs in violation of the uniform controlled  
25 substances act, chapter 69.50 RCW; or

26           (k) Committed a violation involving methamphetamine under RCW  
27 69.50.401 or 69.50.440.

28        (2) Following a request under subsection (1) of this section, a  
29 court will convene a hearing to determine whether the tenant should be  
30 immediately removed. The court will request the sheriff and/or law  
31 enforcement personnel, as well as a representative of the department of  
32 social and health services, to attend the hearing to offer assistance  
33 as needed by the evicted tenants. The court may issue a writ for the  
34 immediate eviction of the tenant and may assess costs to the tenant.

35        (3)(a) Upon eviction, the tenant as well as all persons and animals  
36 living with the tenant must be removed from the premises. Personal  
37 property may be retrieved within three days if parties are accompanied  
38 by a judicial representative.

1       (b) The eviction must take place on the same day the writ is  
2 signed. If scheduling does not permit for the issue of the writ the  
3 same day, it must be served by noon the following day.

4       (c) To enforce the court-ordered eviction, the landlord must be  
5 accompanied by the sheriff.

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