
SUBSTITUTE SENATE BILL 5426

State of Washington

63rd Legislature

2013 Regular Session

By Senate Financial Institutions, Housing & Insurance (originally sponsored by Senator Roach)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to the definition of unlawful detainer; 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 other fees, and
5 after notice in writing requiring in the alternative the payment of the
6 rent and other fees or the surrender of the detained premises, served
7 (in manner in RCW 59.12.040 provided) in behalf of the person entitled
8 to the rent and other fees upon the person owing it, has remained
9 uncomplished with for the period of three days after service thereof.
10 The notice may be served at any time after the rent and other fees
11 becomes due;

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

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

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

1 (7) When he or she commits or permits any gang-related activity at
2 the premises as prohibited by RCW 59.18.130.

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