
SENATE BILL 5218

State of Washington

64th Legislature

2015 Regular Session

By Senators Hobbs and Benton

Read first time 01/15/15. Referred to Committee on Financial
Institutions & Insurance.

1 AN ACT Relating to unlawful detainer actions for at-will
2 tenancies; and 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
5 read 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
9 person 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
12 implied contract, whether written or oral, the tenancy shall be
13 terminated without notice at the expiration of the specified term or
14 period;

15 (2) When he or she, having leased property for an indefinite time
16 with monthly or other periodic rent reserved, continues in possession
17 thereof, in person or by subtenant, after the end of any such month
18 or period, when the landlord, more than twenty days prior to the end
19 of such month or period, has served notice (in manner in RCW
20 59.12.040 provided) requiring him or her to quit the premises at the
21 expiration of such month or period;

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

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

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

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

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

38 (8) When he or she occupies real property with the prior consent
39 of the owner but without a denominated rental amount or designated
40 period of tenancy on an at-will basis, and he or she fails to remove

1 from the premises after thirty days' notice in writing served upon
2 him or her in the manner provided by RCW 59.12.040. This subsection
3 does not apply to housing for seasonal agricultural employees while
4 provided in conjunction with such employment. The doubling of damages
5 set forth in RCW 59.12.170 does not apply to this subsection.

--- END ---