
SUBSTITUTE SENATE BILL 5219

State of Washington

64th Legislature

2015 Regular Session

By Senate Financial Institutions & Insurance (originally sponsored by Senators Benton and Roach)

READ FIRST TIME 02/20/15.

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
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 and
4 other fees, if any, or the surrender of the detained premises, served
5 (in manner in RCW 59.12.040 provided) in behalf of the person
6 entitled to the rent and other fees upon the person owing it, has
7 remained uncomplied with for the period of three days after service
8 thereof. The notice may be served at any time after the rent becomes
9 due;

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

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

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

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