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HOUSE BILL 1575

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State of Washington

69th Legislature

2025 Regular Session

By Representatives Dufault and Walsh

Read first time 01/24/25. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to the defense of property rights; adding new  
2 sections to chapter 59.18 RCW; and prescribing penalties.

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

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

6 **Limited alternative remedy to remove unauthorized persons from**  
7 **residential real property.**

8 (1) The legislature finds that the right to exclude others from  
9 entering, and the right to direct others to immediately vacate,  
10 residential real property are the most important real property  
11 rights. Defending those rights is the single subject of this act. The  
12 legislature further finds that existing remedies regarding  
13 unauthorized persons who unlawfully remain on residential real  
14 property fail to adequately protect the rights of the property owner  
15 and fail to adequately discourage theft and vandalism. The intent of  
16 this section is to restore possession of residential real property to  
17 the lawful owner of the property quickly when the property is being  
18 unlawfully occupied and to thereby preserve property rights while  
19 limiting the opportunity for criminal activity.

20 (2) A property owner or his or her authorized agent may request  
21 from the sheriff of the county in which the property is located the

1 immediate removal of a person or persons unlawfully occupying a  
2 residential dwelling pursuant to this section if all of the following  
3 conditions are met:

4 (a) The requesting person is the property owner or authorized  
5 agent of the property owner.

6 (b) The real property that is being occupied includes a  
7 residential dwelling.

8 (c) An unauthorized person or persons have unlawfully entered and  
9 remain or continue to reside on the property owner's property.

10 (d) The real property was not open to members of the public at  
11 the time the unauthorized person or persons entered.

12 (e) The property owner has directed the unauthorized person or  
13 persons to leave the property.

14 (f) The unauthorized person or persons are not current or former  
15 tenants pursuant to a written or oral rental agreement authorized by  
16 the property owner.

17 (g) The unauthorized person or persons are not immediate family  
18 members of the property owner.

19 (h) There is no pending litigation related to the real property  
20 between the property owner and any known unauthorized person.

21 (3) To request the immediate removal of an unlawful occupant of a  
22 residential dwelling, the property owner or his or her authorized  
23 agent must submit a complaint by presenting a completed and verified  
24 complaint to remove persons unlawfully occupying residential real  
25 property to the sheriff of the county in which the real property is  
26 located. The submitted complaint must be in substantially the  
27 following form:

28 COMPLAINT TO REMOVE PERSONS UNLAWFULLY OCCUPYING RESIDENTIAL  
29 REAL PROPERTY

30 I, the owner or authorized agent of the owner of the real  
31 property located at [INSERT ADDRESS], declare under penalty  
32 of perjury that (initial each item):

33 1. .... I am the owner of the real property or the authorized  
34 agent of the owner of the real property.

35 2. .... I purchased the property on [INSERT DATE].

36 3. .... The real property is a residential dwelling.

37 4. .... An unauthorized person or persons have unlawfully  
38 entered and are remaining or residing unlawfully on the real  
39 property.

1 5. .... The real property was not open to members of the  
2 public at the time the unauthorized person or persons  
3 entered.

4 6. .... I have directed the unauthorized person or persons to  
5 leave the real property, but they have not done so.

6 7. .... The person or persons are not current or former  
7 tenants pursuant to any valid lease authorized by the  
8 property owner, and any lease that may be produced by an  
9 occupant is fraudulent.

10 8. .... The unauthorized person or persons sought to be  
11 removed are not an owner or a co-owner of the property and  
12 have not been listed on the title to the property unless the  
13 person or persons have engaged in title fraud.

14 9. .... The unauthorized person or persons are not immediate  
15 family members of the property owner.

16 10. .... There is no litigation related to the real property  
17 pending between the property owner and any person sought to  
18 be removed.

19 11. .... I understand that a person or persons removed from  
20 the property pursuant to this procedure may bring a cause of  
21 action against me for any false statements made in this  
22 complaint, or for wrongfully using this procedure, and that  
23 as a result of such action I may be held liable for actual  
24 damages, penalties, costs, and reasonable attorneys' fees.

25 12. .... I am requesting the sheriff to immediately remove  
26 the unauthorized person or persons from the residential  
27 property.

28 13. .... A copy of my valid government-issued identification  
29 is attached, or I am an agent of the property owner, and  
30 documents evidencing my authority to act on the property  
31 owner's behalf are attached.

32 I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH  
33 STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE  
34 STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY  
35 OF PERJURY.

36 [INSERT SIGNATURE OF OWNER OR OWNER'S AGENT]

37 (4) Upon receipt of the complaint, the sheriff shall verify that  
38 the person submitting the complaint is the record owner of the real  
39 property or the authorized agent of the owner and appears otherwise  
40 entitled to relief under this section. If verified, the sheriff

1 shall, without delay, serve a notice to immediately vacate on all the  
2 unlawful occupants and shall put the owner in possession of the real  
3 property. Service may be accomplished by hand delivery of the notice  
4 to an occupant or by posting the notice on the front door or entrance  
5 of the dwelling. The sheriff shall also attempt to verify the  
6 identities of all persons occupying the dwelling and note the  
7 identities on the return of service. If appropriate, the sheriff may  
8 arrest any person found in the dwelling for trespass, outstanding  
9 warrants, or any other legal cause.

10 (5) After the sheriff serves the notice to immediately vacate,  
11 the property owner or authorized agent may request that the sheriff  
12 stand by to keep the peace while the property owner or agent of the  
13 owner changes the locks and removes the personal property of the  
14 unlawful occupants from the premises to or near the property line.  
15 When such a request is made, the sheriff may charge a reasonable  
16 hourly rate, and the person requesting the sheriff to stand by and  
17 keep the peace is responsible for paying the reasonable hourly rate  
18 set by the sheriff. The sheriff is not liable to the unlawful  
19 occupant or any other party for loss, destruction, or damage of  
20 property. The property owner or his or her authorized agent is not  
21 liable to an unlawful occupant or any other party for the loss,  
22 destruction, or damage to the personal property unless the removal  
23 was wrongful.

24 (6) A person may bring a civil cause of action for wrongful  
25 removal under this section. A person harmed by a wrongful removal  
26 under this section may be restored to possession of the real property  
27 and may recover actual costs and damages incurred, statutory damages  
28 equal to triple the fair market rent of the dwelling, court costs,  
29 and reasonable attorneys' fees. The court shall advance the cause on  
30 the calendar.

31 (7) This section does not limit the rights of a property owner or  
32 limit the authority of a law enforcement officer to arrest an  
33 unlawful occupant for trespassing, vandalism, theft, or other crimes.

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

36 **Making false statements to obtain property or credit or to detain**  
37 **real property.**

38 (1) Any person who shall make or cause to be made any false  
39 statement, in writing, relating to his or her financial condition,

1 assets, or liabilities, or relating to the financial condition,  
2 assets, or liabilities of any firm or corporation in which such  
3 person has a financial interest, or for whom he or she is acting,  
4 with a fraudulent intent of obtaining credit, goods, money, or other  
5 property, and shall by such false statement obtain credit, goods,  
6 money, or other property, is guilty of a misdemeanor.

7 (2) Any person who, with the intent to detain or remain upon real  
8 property, knowingly and willfully presents to another person a false  
9 document purporting to be a valid lease agreement, deed, or other  
10 instrument conveying real property rights is guilty of a misdemeanor.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 59.18  
12 RCW to read as follows:

13 **Fraudulent sale or lease of residential real property.**

14 A person who lists or advertises residential real property for  
15 sale knowing that the purported seller has no legal title or  
16 authority to sell the property, or rents or leases the property to  
17 another person knowing that he or she has no lawful ownership in the  
18 property or leasehold interest in the property, is guilty of a class  
19 A felony.

20 NEW SECTION. **Sec. 4.** If any provision of this act or its  
21 application to any person or circumstance is held invalid, the  
22 remainder of the act or the application of the provision to other  
23 persons or circumstances is not affected.

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