

---

HOUSE BILL 2781

---

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Wineberry and Leonard

Read first time 01/24/94. Referred to Committee on Trade, Economic Development & Housing.

1 AN ACT Relating to just cause evictions under the residential  
2 landlord-tenant act; and adding a new section to chapter 59.18 RCW.

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 RCW  
5 to read as follows:

6 (1) Landlords of dwelling units shall not evict or attempt to evict  
7 any tenant or otherwise terminate or attempt to terminate the tenancy  
8 of any tenant except for good cause. The reasons for termination of  
9 tenancy are as follows, and no other reasons shall constitute good  
10 cause under this section:

11 (a) The tenant fails to comply with a notice to pay rent or vacate  
12 under RCW 59.12.030(3); a ten-day notice to comply or vacate under RCW  
13 59.12.030(4); or a three-day notice to vacate for waste, nuisance, or  
14 maintenance of an unlawful business under RCW 59.12.030(5);

15 (b) The tenant habitually fails to pay rent when due and causes the  
16 landlord to notify the tenant in writing of late rent four or more  
17 times in a twelve-month period;

1 (c) The tenant fails to comply with a material term of the rental  
2 agreement or fails to comply with a material obligation under this  
3 chapter after service of a ten-day notice to comply or vacate;

4 (d) The tenant habitually fails to comply with the material terms  
5 of the rental agreement which causes the landlord to serve a ten-day  
6 notice to comply or vacate three or more times in a twelve-month  
7 period;

8 (e) The landlord seeks possession for the owner or for a member of  
9 the owner's immediate family and no substantially equivalent unit is  
10 vacant and available in the same building. Immediate family shall  
11 include the spouse, parents, grandparents, children, brothers, and  
12 sisters of the owner or owner's spouse;

13 (f) The tenant's occupancy is conditioned upon employment on the  
14 property and the employment relationship is terminated;

15 (g) The landlord seeks to do major reconstruction or rehabilitation  
16 in the building which cannot be done with tenants in occupancy. Any  
17 tenant dispossessed for this reason shall be notified in writing by the  
18 landlord at the time of vacating the unit that the tenant has a right  
19 of first refusal for the rehabilitated unit. The landlord shall notify  
20 the tenant in writing, mailed by regular mail to the last address  
21 provided by the tenant, when the unit is ready for occupancy, and the  
22 tenant must exercise the right of first refusal within thirty days of  
23 landlord's notice;

24 (h) The owner elects to demolish the building, convert it to a  
25 condominium or a cooperative, or convert it to a nonresidential use.  
26 However, the owner must obtain all permits which are necessary to  
27 demolish or change the use before terminating any tenancy;

28 (i) If a tenant is a resident of the owner's own single-family  
29 residence, apartment, or sleeping place, the owner may evict the tenant  
30 at any time in the manner provided by law; and

31 (j) If a tenant engages in criminal activity in the building or on  
32 the premises and that activity results in a conviction of the tenant.

33 (2) Any rental agreement provision which waives or purports to  
34 waive any right, benefit, or entitlement created by this section is  
35 void.

36 (3) With any termination notices required by law, landlords  
37 terminating any tenancy protected by this section shall advise the  
38 affected tenant or tenants in writing of the reasons for the  
39 termination.

1       (4) In any action commenced to evict or to otherwise terminate the  
2 tenancy of any tenant, it is a defense to the action that there was no  
3 good cause for such eviction or termination.

4       (5) It is a violation of this section for any owner to evict or  
5 attempt to evict any tenant or otherwise terminate or attempt to  
6 terminate the tenancy of any tenant using a notice which references  
7 subsection (1)(e) or (g) of this section as grounds for eviction or  
8 termination without fulfilling or carrying out the stated reason for or  
9 condition justifying the termination of the tenancy.

10       (6) This section applies to any tenant who is entitled to occupy a  
11 dwelling unit primarily for living or dwelling purposes under a rental  
12 agreement and the exemptions from coverage under this chapter set forth  
13 in RCW 59.18.040 do not apply to this section.

--- END ---