
SENATE BILL 5479

State of Washington 59th Legislature 2005 Regular Session

By Senators Berkey, Benton, Prentice, Esser and McAuliffe

Read first time 01/26/2005. Referred to Committee on Financial Institutions, Housing & Consumer Protection.

1 AN ACT Relating to time periods in landlord/tenant actions; and
2 amending RCW 59.12.070 and 59.18.370.

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

4 **Sec. 1.** RCW 59.12.070 and 1927 c 123 s 1 are each amended to read
5 as follows:

6 The plaintiff in his or her complaint, which shall be in writing,
7 must set forth the facts on which he or she seeks to recover, and
8 describe the premises with reasonable certainty, and may set forth
9 therein any circumstances of fraud, force or violence, which may have
10 accompanied the said forcible entry or forcible or unlawful detainer,
11 and claim damages therefor, or compensation for the occupation of the
12 premises, or both; in case the unlawful detainer charged be after
13 default in the payment of rent, the complaint must state the amount of
14 such rent. A summons must be issued as in other cases, returnable at
15 a day designated therein, which shall not be less than (~~six nor more~~
16 ~~than twelve~~) seven days from the date of service, except in cases
17 where the publication of summons is necessary, in which case the court
18 or judge thereof may order that the summons be made returnable at such

1 time as may be deemed proper, and the summons shall specify the return
2 day so fixed.

3 **Sec. 2.** RCW 59.18.370 and 1973 1st ex.s. c 207 s 38 are each
4 amended to read as follows:

5 The plaintiff, at the time of commencing an action of forcible
6 entry or detainer or unlawful detainer, or at any time afterwards, upon
7 filing the complaint, may apply to the superior court in which the
8 action is pending for an order directing the defendant to appear and
9 show cause, if any he or she has, why a writ of restitution should not
10 issue restoring to the plaintiff possession of the property in the
11 complaint described, and the judge shall by order fix a time and place
12 for a hearing of said motion, which shall not be less than (~~six nor~~
13 ~~more than twelve~~) seven days from the date of service of said order
14 upon defendant. A copy of said order, together with a copy of the
15 summons and complaint if not previously served upon the defendant,
16 shall be served upon the defendant. Said order shall notify the
17 defendant that if he or she fails to appear and show cause at the time
18 and place specified by the order the court may order the sheriff to
19 restore possession of the property to the plaintiff and may grant such
20 other relief as may be prayed for in the complaint and provided by this
21 chapter.

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