

**SHB 2550 - H AMD 1058**

By Representative Ross

NOT CONSIDERED 3/11/2010

1 On page 1, after line 4, insert the following:

2 "Sec. 1. RCW 59.18.075 and 1992 c 38 s 4 are each amended to read  
3 as follows:

4 (1) Any law enforcement agency which seizes a legend drug pursuant  
5 to a violation of chapter 69.41 RCW, a controlled substance pursuant  
6 to a violation of chapter 69.50 RCW, or an imitation controlled  
7 substance pursuant to a violation of chapter 69.52 RCW, shall make a  
8 reasonable attempt to discover the identity of the landlord and shall  
9 notify the landlord in writing, at the last address listed in the  
10 property tax records and at any other address known to the law  
11 enforcement agency, of the seizure and the location of the seizure of  
12 the illegal drugs or substances.

13 (2) Any law enforcement agency which arrests a tenant for  
14 threatening another tenant with a firearm or other deadly weapon, or  
15 for some other unlawful use of a firearm or other deadly weapon on the  
16 rental premises, or for physically assaulting another person on the  
17 rental premises, shall make a reasonable attempt to discover the  
18 identity of the landlord and notify the landlord about the arrest in  
19 writing, at the last address listed in the property tax records and at  
20 any other address known to the law enforcement agency.

21 (3)(a) A law enforcement agency that has found that a tenant or  
22 other occupant of a rental unit has committed a criminal street gang-  
23 related offense as defined in RCW 9.94A.030 or that has been called to  
24 a rental premises to investigate a criminal street gang-related  
25 offense shall make a reasonable attempt to discover the identity of  
26 the landlord and notify the landlord in writing, at the last address  
27 listed in the property tax records and at any other address known to

1 the law enforcement agency, of the criminal street gang-related  
2 offense on the rental premises.

3 (b) For the purposes of this subsection, the law enforcement  
4 agency shall include the following information with the notice:

5 (i) The name of the tenant and the individual or individuals who  
6 were involved in the criminal street gang-related offense;

7 (ii) The rental unit where the incident occurred;

8 (iii) The date of the incident;

9 (iv) Actions taken by the law enforcement agency in response to  
10 the incident;

11 (v) A statement outlining the authority of a landlord under  
12 chapter 59.12 RCW to commence an unlawful detainer action against a  
13 tenant who has committed or permitted gang-related activity at the  
14 premises; and

15 (vi) Penalties the landlord may face for failure to abate a  
16 nuisance."

17  
18 Renumber the remaining sections consecutively and correct any  
19 internal references accordingly.

20  
21 On page 4, line 21, after "nuisance" insert ", or was not provided  
22 adequate notice under RCW 59.18.075 of the occurrence of a criminal  
23 street gang-related offense at the rental unit,"

24  
**EFFECT:** Amends the Residential Landlord-Tenant Act to require a  
law enforcement agency that has found that a tenant or occupant  
committed a criminal street gang-related offense or that has  
investigated such an offense on a rental property to make a  
reasonable attempt to notify the landlord of the offense.

Requires that notice of the offense include: the identity of the  
individuals involved, the location and date of the offense,  
actions taken by in response, a statement regarding the landlord's  
authority to evict a tenant for gang-related activity, and  
penalties for failure to abate a nuisance.

Provides an alternate ground for a court to decline to enter an  
abatement order where the landlord was not provided adequate

notice by law enforcement of the criminal street gang-related offense that occurred at the rental unit.

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