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**SENATE BILL 5337**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Cleveland, Braun, and Kuderer

AN ACT Relating to exempting the sale and leaseback of property by a seller from the residential landlord-tenant act when the seller agrees to a written lease at closing; and amending RCW 59.18.040.

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

**Sec.**  RCW 59.18.040 and 1989 c 342 s 3 are each amended to read as follows:

The following living arrangements are not intended to be governed by the provisions of this chapter, unless established primarily to avoid its application, in which event the provisions of this chapter shall control:

(1) Residence at an institution, whether public or private, where residence is merely incidental to detention or the provision of medical, religious, educational, recreational, or similar services((~~,~~)) including, but not limited to, correctional facilities, licensed nursing homes, monasteries and convents, and hospitals;

(2) Occupancy under a bona fide earnest money agreement to purchase or contract of sale of the dwelling unit or the property of which it is a part, where the tenant is, or stands in the place of, the purchaser;

(3) Occupancy by the seller of a dwelling unit, after closing of the sale, when the buyer and seller entered into a written agreement for the seller to remain in the dwelling unit after closing;

(4) Residence in a hotel, motel, or other transient lodging whose operation is defined in RCW 19.48.010;

((~~(4)~~)) (5) Rental agreements entered into pursuant to the provisions of chapter 47.12 RCW where occupancy is by an owner-condemnee and where such agreement does not violate the public policy of this state of ensuring decent, safe, and sanitary housing and is so certified by the consumer protection division of the attorney general's office;

((~~(5)~~)) (6) Rental agreements for the use of any single-family residence ((~~which~~)) that are incidental to leases or rentals entered into in connection with a lease of land to be used primarily for agricultural purposes;

((~~(6)~~)) (7) Rental agreements providing housing for seasonal agricultural employees while provided in conjunction with such employment;

((~~(7)~~)) (8) Rental agreements with the state of Washington, department of natural resources, on public lands governed by Title 79 RCW;

((~~(8)~~)) (9) Occupancy by an employee of a landlord whose right to occupy is conditioned upon employment in or about the premises.

**--- END ---**