
HOUSE BILL 1070

State of Washington

68th Legislature

2023 Regular Session

By Representatives Connors, Reeves, Hutchins, Schmidt, Peterson, Christian, Rude, Klicker, Barkis, and Walsh

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

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

5 **Sec. 1.** RCW 59.18.040 and 1989 c 342 s 3 are each amended to
6 read as follows:

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

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

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

20 (3) Occupancy by the seller of a dwelling unit, after closing of
21 the sale, when the buyer and seller entered into a written agreement

1 for the seller to remain in the dwelling unit for up to six months
2 after closing;

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

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

11 ~~((5))~~ (6) Rental agreements for the use of any single-family
12 residence ~~((which))~~ that are incidental to leases or rentals entered
13 into in connection with a lease of land to be used primarily for
14 agricultural purposes;

15 ~~((6))~~ (7) Rental agreements providing housing for seasonal
16 agricultural employees while provided in conjunction with such
17 employment;

18 ~~((7))~~ (8) Rental agreements with the state of Washington,
19 department of natural resources, on public lands governed by Title 79
20 RCW;

21 ~~((8))~~ (9) Occupancy by an employee of a landlord whose right to
22 occupy is conditioned upon employment in or about the premises.

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