

SHB 1621 - S COMM AMD
By Committee on Housing

ADOPTED 03/26/2025

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that nearly 40
4 percent of Washington households are renter households. Washington is
5 one of the most expensive rental markets in the country. Rent
6 increases are outpacing incomes, disproportionately impacting:
7 Seniors; Black, indigenous, and people of color households; and
8 families with children, and are a significant cause of homelessness.
9 As of November 2024, Washington was experiencing the highest eviction
10 filing count on record, with 23,000 filings and with nine counties
11 already breaking records, including Clark, Grant, Jefferson, King,
12 Klickitat, Okanogan, Spokane, Thurston, and Whitman. Seven additional
13 counties were also on track to break records in 2024, including
14 Asotin, Columbia, Douglas, Kittitas, Pend Oreille, Skagit and Walla
15 Walla.

16 A significant surge in unlawful detainer filings has contributed
17 to delays in court proceedings and case resolutions, creating
18 additional burdens for both landlords and tenants.

19 The legislature further finds that the right to counsel program
20 in eviction proceedings provides a vital safety net for low-income
21 renters, providing access to attorneys to ensure procedural fairness
22 in court and significantly reducing the risk of housing loss and
23 evictions into homelessness. Since January 2022, every tenant
24 screened and found eligible has been assigned an attorney through an
25 eviction defense provider contracted by the office of civil legal
26 aid. Of the clients served, 39 percent had a disability and 45
27 percent were Black, indigenous, and people of color.

28 It is the intent of the legislature to address delays in court
29 proceedings by authorizing superior courts, with the consent of the
30 county legislative authority, to appoint well-trained and unbiased
31 court commissioners who can hear unlawful detainer cases.

1 The legislature respectfully requests that superior courts
2 continue to closely coordinate their dockets with right to counsel
3 assignments for eligible defendants in unlawful detainer cases, and
4 encourages the courts to give consideration to the availability of
5 right to counsel attorneys when expanding their dockets.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 59.18
7 RCW to read as follows:

8 (1) Except as provided in subsection (2) of this section, in each
9 county the superior court may appoint the following persons to assist
10 the superior court in disposing of its business related to unlawful
11 detainer actions for residential tenancies covered by this chapter
12 and chapter 59.20 RCW:

13 (a) One or more attorneys to act as housing court commissioners;
14 and

15 (b) Such investigators, stenographers, and clerks as the court
16 finds necessary to carry on the work of the housing court
17 commissioners.

18 (2) The position of a housing court commissioner may not be
19 created without prior consent of the county legislative authority.

20 (3) The appointments provided for in this section are made by a
21 majority vote of the judges of the superior court of the county and
22 may be in addition to all other appointments of commissioners and
23 other judicial attaches otherwise authorized by law.

24 (4) The appointments may be full-time or part-time positions. A
25 person appointed as a housing court commissioner may also be
26 appointed to any other commissioner position authorized by law.

27 (5) Housing court commissioners and investigators serve at the
28 pleasure of the judges appointing them and receive such compensation
29 as the county legislative authority shall determine.

30 (6) A person appointed as a housing court commissioner shall
31 comply with the fairness and impartiality standards established in
32 RCW 3.34.110.

33 (7)(a) A person appointed as a housing court commissioner will
34 receive training as soon as reasonably practicable but no sooner than
35 July 26, 2025, from the administrative office of the courts on the
36 following topics:

37 (i) The residential landlord-tenant act, this chapter;

38 (ii) The manufactured/mobile home landlord-tenant act, chapter
39 59.20 RCW;

1 (iii) Show cause hearing processes in the context of evictions
2 and unlawful detainer actions; and

3 (iv) Unlawful detainer procedures, chapter 59.16 RCW.

4 (b) The administrative office of the courts may coordinate with
5 the office of civil legal aid to develop and deliver the training
6 described in (a) of this subsection.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 59.18
8 RCW to read as follows:

9 (1) By majority vote, the judges of the superior court of the
10 county may authorize housing court commissioners appointed pursuant
11 to section 2 of this act to perform any and all of the following
12 duties in an unlawful detainer action under this chapter:

13 (a) Receive all applications, petitions, and proceedings filed in
14 the superior court related to unlawful detainer actions for
15 residential tenancies covered by this chapter;

16 (b) Order investigation and reporting of facts upon which to base
17 warrants, subpoenas, orders, or directions in actions or proceedings
18 related to unlawful detainer actions for residential tenancies
19 covered by this chapter;

20 (c) For the purpose of this chapter, exercise all powers and
21 perform all the duties of a court commissioner appointed pursuant to
22 RCW 2.24.010(1);

23 (d) Hold hearings in proceedings related to unlawful detainer
24 cases for residential tenancies covered by this chapter and make
25 written reports of all such proceedings, which shall become a part of
26 the record of the superior court;

27 (e) Provide such supervision in connection with the exercise of
28 its jurisdiction as may be ordered by the presiding judge; and

29 (f) Cause the orders and findings to be entered in the same
30 manner as orders and findings are entered in cases in the superior
31 court.

32 (2) All acts and proceedings of a housing court commissioner are
33 subject to revision by the superior court as provided in RCW
34 2.24.050.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 59.20
36 RCW to read as follows:

37 (1) By majority vote, the judges of the superior court of the
38 county may authorize housing court commissioners appointed pursuant

1 to section 2 of this act to perform any and all of the following
2 duties in an unlawful detainer action under this chapter:

3 (a) Receive all applications, petitions, and proceedings filed in
4 the superior court related to unlawful detainer actions for
5 residential tenancies covered by this chapter;

6 (b) Order investigation and reporting of facts upon which to base
7 warrants, subpoenas, orders, or directions in actions or proceedings
8 related to unlawful detainer actions for residential tenancies
9 covered by this chapter;

10 (c) For the purpose of this chapter, exercise all powers and
11 perform all the duties of a court commissioner appointed pursuant to
12 RCW 2.24.010(1);

13 (d) Hold hearings in proceedings related to unlawful detainer
14 cases for residential tenancies covered by this chapter and make
15 written reports of all such proceedings, which shall become a part of
16 the record of the superior court;

17 (e) Provide such supervision in connection with the exercise of
18 its jurisdiction as may be ordered by the presiding judge; and

19 (f) Cause the orders and findings to be entered in the same
20 manner as orders and findings are entered in cases in the superior
21 court.

22 (2) All acts and proceedings of a housing court commissioner are
23 subject to revision by the superior court as provided in RCW
24 2.24.050.

25 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of
27 the state government and its existing public institutions, and takes
28 effect immediately."

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29 On page 1, line 3 of the title, after "commissioners;" strike the
30 remainder of the title and insert "adding new sections to chapter
31 59.18 RCW; adding a new section to chapter 59.20 RCW; creating a new
32 section; and declaring an emergency."

EFFECT: Requires the training provided by the Administrative Office of the Courts to be done no sooner than July 26, 2025.

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