

FINAL BILL REPORT

SHB 1621

C 268 L 25
Synopsis as Enacted

Brief Description: Authorizing superior courts to appoint housing court commissioners.

Sponsors: House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Macri, Taylor, Peterson, Ramel, Ormsby and Hill).

House Committee on Civil Rights & Judiciary
Senate Committee on Housing

Background:

Article IV, section 23 of the Washington Constitution authorizes the superior courts to appoint up to three court commissioners in each county. Court commissioners have the power to perform all the duties of a superior court judge that do not require a trial by jury, and other duties provided by law to aid in the administration of justice.

The Legislature has authorized superior courts to appoint additional commissioners, including specialized mental health commissioners and criminal commissioners. These statutorily authorized commissioners are limited to the authority that they are expressly granted in statute.

All acts and proceedings of court commissioners are subject to revision by a superior court judge upon motion by a party.

Summary:

Superior courts in every county may appoint one or more attorneys to act as full- or part-time housing court commissioners to assist the court with unlawful detainer actions under the Residential Landlord-Tenant Act and the Manufactured/Mobile Home Landlord-Tenant Act. The position of a housing court commissioner may not be created without prior consent of the county legislative authority. Superior courts are also authorized to appoint such investigators, stenographers, and clerks as the court finds necessary to carry on the

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work of the housing court commissioners.

The appointments are made by majority vote of the county's superior court judges. Housing court commissioners may also be appointed to any other commissioner position allowed by law.

A person appointed as a housing court commissioner must comply with the fairness and impartiality standards which prohibit presiding in an action to which the judicial officer is a party or in which the judicial officer is directly interested, or when the judicial officer or one of the parties believes that the parties cannot have an impartial hearing before the judicial office.

A person appointed as a housing court commissioner will receive training as soon as reasonably practicable but no sooner than July 26, 2025, from the Administrative Office of the Courts on the Residential Landlord-Tenant Act, the Manufactured/Mobile Home Landlord-Tenant Act, hearing processes in the context of evictions and unlawful detainer actions, and unlawful detainer procedures.

The judges of the superior court may authorize housing court commissioners to perform specified duties in relation to unlawful detainer actions, including:

- receiving all applications, petitions, and proceedings filed in the superior court related to unlawful detainer actions for residential tenancies;
- ordering investigations and reports to support warrants, subpoenas, or orders;
- holding hearings and preparing written reports for inclusion in the superior court record;
- providing supervision as directed by the presiding judge; and
- ensuring orders and findings are entered in the same manner as those in superior court cases.

All acts and proceedings of a housing court commissioner are subject to revision by the superior court.

Votes on Final Passage:

House	97	0	
Senate	49	0	(Senate amended)
House	97	0	(House concurred)

Effective: May 13, 2025