
HOUSE BILL 1621

State of Washington

69th Legislature

2025 Regular Session

By Representatives Macri, Taylor, Peterson, Ramel, Ormsby, and Hill

Read first time 01/27/25. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to addressing court capacity for unlawful
2 detainer actions by authorizing superior courts to appoint housing
3 court commissioners; adding new sections to chapter 59.18 RCW; adding
4 a new section to chapter 59.20 RCW; and creating a new section.

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

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

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

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

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

14 The legislature respectfully requests that superior courts
15 continue to closely coordinate their dockets with right to counsel
16 assignments for eligible defendants in unlawful detainer cases, and
17 encourages the courts to give consideration to the availability of
18 right to counsel attorneys when expanding their dockets.

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

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

26 (a) One or more attorneys to act as housing court commissioners;
27 and

28 (b) Such investigators, stenographers, and clerks as the court
29 finds necessary to carry on the work of the housing court
30 commissioners.

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

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

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

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

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

7 (7)(a) A person appointed as a housing court commissioner must
8 receive training as soon as reasonably practicable from the
9 administrative office of the courts on the following topics:

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

11 (ii) The manufactured/mobile home landlord-tenant act, chapter
12 59.20 RCW;

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

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

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

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

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

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

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

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

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

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

3 (f) Cause the orders and findings to be entered in the same
4 manner as orders and findings are entered in cases in the superior
5 court.

6 (2) All acts and proceedings of a housing court commissioner are
7 subject to revision by the superior court as provided in RCW
8 2.24.050.

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

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

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

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

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

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

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

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

34 (2) All acts and proceedings of a housing court commissioner are
35 subject to revision by the superior court as provided in RCW
36 2.24.050.

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