CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1621

Chapter 268, Laws of 2025

69th Legislature
2025 Regular Session

HOUSING COURT COMMISSIONERS

EFFECTIVE DATE: May 13, 2025

Passed by the House April 21, 2025
Yeas 97 Nays 0

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate March 26, 2025
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved May 13, 2025 10:32 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1621** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 14, 2025

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1621

AS AMENDED BY THE SENATE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By House Civil Rights & Judiciary (originally sponsored by Representatives Macri, Taylor, Peterson, Ramel, Ormsby, and Hill)

READ FIRST TIME 02/11/25.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7)(a) 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 following topics:

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

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

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

(iv) Unlawful detainer procedures, chapter 59.16 RCW.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed by the House April 21, 2025.
Passed by the Senate March 26, 2025.
Approved by the Governor May 13, 2025.
Filed in Office of Secretary of State May 14, 2025.

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