

Changes to Washington Landlord Tenant Law

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Legislative Changes

- Engrossed Substitute Senate Bill 5197
 - <https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/Senate/5197-S.SL.pdf?q=20231026141335>
- Substitute House Bill 1074
 - <https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1074-S.SL.pdf?q=20231026141312>
- Expiration of RCW 59.18.630
 - <https://app.leg.wa.gov/rcw/default.aspx?cite=59.18.630>
- Engrossed Second Substitute Senate Bill 5198
 - <https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/Senate/5198-S2.SL.pdf?cite=2023%20c%2040%20C2%A7%205>

Engrossed Substitute Senate Bill 5197

- Section 1 – Adds a new section to RLTA to allow parties to attend show cause hearings remotely at the court’s discretion (Codified as RCW 59.18.412)
- Section 2 – Modifies RCW 59.18.410(2) to allow tenant’s reinstate tenancy up until physical eviction if a pledge of financial assistance has been received
- Section 2 – Modifies RCW 59.18.410(3)(d) to allow reinstatement under 410, even if the tenant has received 3 or more pay or vacates, if the court finds any of the pay or vacates were invalid
- Section 3 – Removes requirement under RCW 59.18.057(2) to send pay or vacates to the Dispute Resolution Center after expiration of RCW 59.18.660

Substitute House Bill 1074

- Section 2 – Creates subsection (39) under RCW 59.18.030 to define “Wear resulting from ordinary use of the premises”
- Section 3 – Modifies RCW 59.18.260 to require landlord to provide tenant with a copy of the property condition report at move-in.
- Section 4 – Modifies RCW 59.18.280(1)(a) to allow for thirty days to issue the deposit disposition letter
- Section 4 – Modifies RCW 59.18.280(1)(b) to require landlords to include invoices, bills, or receipts for repairs made to the leasehold premises with the deposit disposition

Substitute House Bill 1074 (Cont.)

- Section 4 – Modifies RCW 59.18.280(2) to further require landlords to include invoices, bills, or receipts for repairs made to the leasehold premises with the deposit disposition by holding landlord's liable for return of the full deposit and barring recovery of any additional damages if landlord fails to timely provide deposit disposition with all required documentation
- Section 4 – Modifies RCW 59.18.280(3) by adding subsection (b) which bars landlords from recovering damages for wear resulting from ordinary use of the premises, (c) which creates a statute of limitation on lawsuits against tenants for damages, and (d) which allows landlords to retain deposits for non-property damage amounts, such as rent

Expiration of RCW 59.18.630

- Requires a repayment agreement to be offered for any “unpaid rent that accrued between March 1, 2020, and six months following the expiration of the eviction moratorium or the end of the public health emergency, whichever is greater”
- Governor Inslee rescinded the public health emergency on October 31, 2022
- Any rent accrued after April 30, 2023, is not subject to RCW 59.18.630

Engrossed Second Substitute Senate Bill 5198

- Section 2 – Modifies RCW 59.20.030 to define “Community land trust”, “Notice of opportunity to compete to purchase”, and “Resident nonprofit cooperative”, and change definitions of “Eligible organization” “Notice of sale” and “Qualified tenant organization”
- Section 3 – Removes requirement under RCW 59.20.060(g)(i) to include a covenant in a lease that the mobile home park will not be converted within three years of commencement of the lease
- Section 4 – Modifies RCW 59.20.073 to require tenants who are selling their home to provide the buyer with a copy of any closure notice provided by the landlord
- Section 5 – Modifies RCW 59.20.080(e) to require two years’ closure notice from landlord, and creates additional conditions regarding closures

Engrossed Second Substitute Senate Bill 5198 (Cont.)

- Section 7 – Adds a new section barring local jurisdictions from passing laws regulating the same laws in Section 8-12 (Codified as RCW 59.20.320)
- Section 8 – Adds a new section requiring an owner of a mobile home park to provide written notice of an opportunity to compete to purchase before owner takes any steps towards sale of the park (Codified as RCW 59.20.325)
- Section 9 – Adds a new section governing the tenant's duties and timelines after receipt of written notice of an opportunity to compete to purchase (Codified as RCW 59.20.330)
- Section 10 – Adds a new section imposing additional duties on the parties after written notice of an opportunity to compete to purchase (Codified as RCW 59.20.335)

Engrossed Second Substitute Senate Bill 5198 (Cont.)

- Section 11 – Adds a new section to create situations in which sections 8 and 9 do not apply (Codified as RCW 59.20.340)
- Section 12 – Adds a new section to allow owner's to record an affidavit certifying they have complied with sections 8 and 9 and that they have not entered into a sales contract with tenant(s) (Codified as RCW 59.20.345)
- Section 13 – Modifies RCW 59.20.305 to require tenant organizations negotiating with owner for the sale of the property to negotiate in good faith
- Section 14 – Adds a new section requiring the Dept. of Commerce to maintain registry of all eligible organizations that submit to the department of commerce a written request to receive notices of opportunity to compete to purchase (Codified as RCW 59.20.350)

Engrossed Second Substitute Senate Bill 5198 (Cont.)

- Section 15 – Adds a new section creating liability for owners who willfully fail to comply with sections 8 or 9 (Codified as RCW 59.20.355)
- Section 16 - Adds a new section to create jurisdictions in which sections 8, 9, and 15 do not apply (Codified as RCW 59.20.360)