
HOUSE BILL 2782

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Wineberry and Leonard

Read first time 01/24/94. Referred to Committee on Trade, Economic Development & Housing.

1 AN ACT Relating to unfair and deceptive rental agreements; and
2 adding a new section to chapter 59.18 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 59.18 RCW
5 to read as follows:

6 (1) A tenant may terminate a tenancy from month to month or from
7 period to period on which rent is payable by giving written notice to
8 the owner twenty days or more before the end of any month or period.

9 (2) A rental agreement may not provide that the tenant must occupy
10 a dwelling unit under a tenancy from month to month or from period to
11 period on which rent is payable for a minimum time which exceeds one
12 month or one period.

13 (3) A rental agreement may not provide that the tenant will forfeit
14 all or part of any deposit under a tenancy from month to month or from
15 period to period on which rent is payable or pay any additional rent,
16 penalty, fee, or other costs, charges, or damages if the tenant fails
17 to occupy the dwelling unit for a minimum time which exceeds one month
18 or one period.

1 (4) A provision in a rental agreement prohibited by subsection (2)
2 or (3) of this section is declared to be unfair, deceptive, and
3 ambiguous and is unenforceable.

4 (5) If an owner uses a rental agreement containing provisions
5 prohibited by subsection (2) or (3) of this section, the tenant has the
6 option of either terminating the tenancy without forfeiting all or part
7 of any deposit or paying any additional rent, penalty, fee, or costs,
8 charges, or damages, or continuing the tenancy for the minimum time
9 specified in the rental agreement.

10 (6) If the tenant chooses to continue the tenancy for the minimum
11 time specified in the rental agreement, the landlord shall be
12 prohibited from terminating the tenancy without just cause, increasing
13 rent, reducing services, or changing or increasing the obligations of
14 the tenant during the minimum time.

15 (7) The tenant has a private right of action to enforce the rights
16 and pursue the remedies provided in this section. The remedies
17 provided to the tenant under subsection (5) or (6) of this section are
18 in addition to any remedies otherwise provided by law. This section
19 shall be liberally construed in favor of the tenant and any ambiguity
20 in the rental agreement shall be resolved in favor of the tenant and
21 against the owner to the maximum extent permissible under law.

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