

2 **ESHB 1223** - S AMD - 422  
3 By Senators Hargrove and Johnson

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5 On page 6, beginning on line 31, strike section 5 and insert the  
6 following:

7 "NEW SECTION. **Sec. 5.** A new section is added to chapter 59.18 RCW  
8 to read as follows:

9 (1) Any person whose life, safety, health, or use of property is  
10 being injured or endangered by a tenant's gang-related activity may  
11 file a complaint with the police. The police shall make a  
12 determination within ten days whether or not there is probable cause to  
13 believe that the tenant is involved in gang-related activity. Upon  
14 determining there is probable cause to believe that the tenant is  
15 involved in gang-related activity the police must commence an unlawful  
16 detainer action against the tenant. The unlawful detainer action must  
17 set forth, in reasonable detail, facts and circumstances that establish  
18 probable cause to believe gang-related activity is occurring. The  
19 unlawful detainer action shall be served by delivering a copy  
20 personally to the tenant and the landlord or the landlord's agent. If  
21 the police are unable to personally serve the landlord after exercising  
22 due diligence, the police may deposit the notice and demand in the  
23 mail, postage prepaid, to the landlord's or the landlord's agent's last  
24 known address.

25 The police must serve the tenant engaging in the gang-related  
26 activity by delivering a copy personally to the tenant or by leaving a  
27 copy of the unlawful detainer complaint in a conspicuous location at  
28 the tenant's residence.

29 (2) If the court finds that the tenant was not in compliance with  
30 RCW 59.18.130(9), the court shall enter an order terminating the  
31 tenancy and requiring the tenant to vacate the premises."

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**EFFECT:** Responsibility for the eviction under this act is given to law enforcement and taken out of the hands of neighbors or landlords.