
HOUSE BILL 2830

State of Washington

57th Legislature

2002 Regular Session

By Representatives Schindler, Mielke, Anderson, Benson, Talcott, Ahern, Dunn and Boldt

Read first time 01/29/2002. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to immediate eviction of a tenant involved in
2 criminal activity; adding a new section to chapter 59.18 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that under existing
6 residential landlord-tenant laws a landlord does not have means to
7 immediately evict a tenant that is involved in criminal activity.

8 The legislature further finds that with the absence of an immediate
9 legal means to remove these tenants, the landlord will suffer
10 significant loss in the property. This loss will continue to grow the
11 longer the tenant is allowed to remain on the property pending court
12 action under the existing unlawful detainer law.

13 It is the intent of the legislature to protect a landlord from
14 financial loss by providing a system for immediate eviction of tenants
15 involved in criminal activity.

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

1 (1) A landlord, with supporting evidence and documentation, may
2 request a court having jurisdiction to authorize the immediate eviction
3 of a tenant, if the tenant has:

4 (a) Misbranded drugs by misleading representation under RCW
5 69.04.530;

6 (b) Possessed drugs in violation of the uniform controlled
7 substances act, chapter 69.50 RCW; or

8 (c) Committed a violation involving methamphetamine under RCW
9 69.50.401 or 69.50.440.

10 (2) Following a request under subsection (1) of this section, a
11 court will convene a hearing to determine whether the tenant should be
12 immediately removed. The court will request that the landlord or the
13 landlord's representative, the tenant or the tenant's legal
14 representative, the sheriff or law enforcement personnel, as well as a
15 representative of a local community services agency, attend the
16 hearing. The court may issue a writ of restitution for the immediate
17 eviction of the tenant.

18 (3)(a) Upon eviction, the tenant as well as all persons living with
19 the tenant must be removed from the premises. The tenant's personal
20 property may be retrieved within three days if the parties are
21 accompanied by a judicial representative.

22 (b) The eviction must take place on the same day the writ of
23 restitution is signed by the court. If scheduling does not permit for
24 the issuance of the writ of restitution the same day, it must be served
25 by noon the following day.

26 (c) To enforce the court-ordered eviction, the landlord must be
27 accompanied by the sheriff.

28 (4) Nothing in this section shall be construed to reduce the
29 requirement of the landlord having to post a bond under RCW 59.12.090.

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