
SENATE BILL 5154

State of Washington

58th Legislature

2003 Regular Session

By Senators Mulliken, Oke and T. Sheldon

Read first time 01/16/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to providing for the option for immediate eviction
2 of tenants who are involved in criminal actions or unlawful civil
3 disruptions; adding a new section to chapter 59.18 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that under existing
7 landlord tenant laws, persons who are renting or leasing properties, as
8 well as their agencies and neighbors of the properties, do not have
9 means to immediately evict tenants involved in criminal actions.

10 The legislature further finds that with the absence of an immediate
11 legal means to remove disruptive tenants, the property owners, agents,
12 and neighbors suffer significant losses in the property and quiet
13 enjoyment of their residence. These losses continue when disruptive
14 tenants are allowed to remain on the premises pending court action,
15 under existing unlawful detainer law.

16 The legislature intends to protect property owners, agents, and
17 neighbors from further mental anguish, threats, physical harm, and
18 financial loss by providing for the immediate eviction of persons
19 participating in criminal actions or unlawful civil disruptions.

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

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

6 (a) Misbranded drugs by misleading representation under RCW
7 69.04.530;

8 (b) Possessed drugs in violation of the uniform controlled
9 substances act, chapter 69.50 RCW;

10 (c) Committed a violation involving methamphetamine under RCW
11 69.50.401 or 69.50.440;

12 (d) Committed malicious destruction under RCW 43.06.230;

13 (e) Possessed stolen property under RCW 9A.56.140; or

14 (f) Committed acts of domestic violence as defined in RCW
15 26.50.010.

16 (2) Following a request under subsection (1) of this section, a
17 court will convene a hearing attended by the tenant and petitioner to
18 determine whether the tenant should be immediately removed from the
19 property. The court may request attendance of a social services agency
20 for temporary relocation assistance. The court may issue a writ of
21 restitution for the eviction of the tenant.

22 (3)(a) Upon eviction, the tenant as well as all persons and animals
23 living with the tenant must be removed from the premises. Personal
24 property must be retrieved within three days, accompanied by a judicial
25 representative.

26 (b) The eviction and writ of restitution must take place on the
27 same day signed by the court. If scheduling does not permit for issue
28 of the writ of eviction and writ of restitution the same day, the writs
29 must be served by noon the following day.

30 (c) To enforce the court-ordered eviction, the petitioner must be
31 accompanied by the sheriff.

32 (d) Persons giving false statements or testimony may be prosecuted
33 by law under RCW 9.72.090 and 5.28.060.

34 (4) Nothing in this section shall be construed to reduce the
35 requirements of the landlord or owner having to post a bond under RCW
36 59.12.090.

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