

SHB 1640 - H AMD TO H AMD (1640-S AMH SPRI H2629.1)
By Representative Holmquist

1 On page 5, at the beginning of line 16 of the amendment, insert
2 "This act is not subject to chapter 34.05 RCW."

3 On page 5, line 17 of the amendment, after "under", strike "RCW
4 59.20.080" and insert "chapter 59.20 RCW, chapter 59.12 RCW, and
5 chapter 59.18 RCW"

6 On page 5, line 19 of the amendment, after "RCW 59.20.080."
7 insert "Filing a complaint with the department is not a defense nor
8 shall it in any way delay or otherwise affect an unlawful detainer
9 action. Department written reports documenting the process and
10 resolution of the complaint investigation, any written explanation
11 covering the matter requested by the department, any other
12 documents or papers requested or produced by the department, or any
13 other record of the complaint, may be admissible only for purposes
14 of impeachment in any unlawful detainer or other administrative or
15 legal action in regard to chapter 59.20 RCW."

EFFECT: Nothing from the ombudsman program may be used in an unlawful detainer action or other litigation regarding alleged violations of the Manufactured/Mobile Home Landlord-Tenant Act (RCW 59.20). Investigative documents or recommendations made by the CTED ombudsman may not be used in any legal proceedings except for impeachment. The Forcible Entry and Forcible and Unlawful Detainer Act (RCW 59.12), the Residential Landlord-Tenant Act (RCW 59.18), and the Manufactured/Mobile Home Landlord-Tenant Act (RCW 59.20) all apply to unlawful detainer actions. The ombudsman program is not subject to the Administrative Procedure Act (RCW 34.05)