
SENATE BILL 6572

State of Washington

59th Legislature

2006 Regular Session

By Senator Hargrove

Read first time 01/16/2006. Referred to Committee on Judiciary.

1 AN ACT Relating to the unlawful detainer process under the
2 residential landlord-tenant act; and amending RCW 59.18.365.

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

4 **Sec. 1.** RCW 59.18.365 and 2005 c 130 s 3 are each amended to read
5 as follows:

6 (1) The summons must contain the names of the parties to the
7 proceeding, the attorney or attorneys if any, the court in which the
8 same is brought, the nature of the action, in concise terms, and the
9 relief sought, and also the return day; and must notify the defendant
10 to appear and answer within the time designated or that the relief
11 sought will be taken against him or her. The summons must contain a
12 street address for service of the notice of appearance or answer and,
13 if available, a facsimile number for the plaintiff or the plaintiff's
14 attorney, if represented. The summons must be served and returned in
15 the same manner as a summons in other actions is served and returned.

16 (2) A defendant may serve a copy of an answer or notice of
17 appearance, and if required by the summons, the sworn statement
18 regarding nonpayment of rent described in RCW 59.18.375, by any of the
19 following methods:

1 (a) By delivering a copy of the answer or notice of appearance to
2 the person who signed the summons at the street address listed on the
3 summons;

4 (b) By mailing a copy of the answer or notice of appearance
5 addressed to the person who signed the summons to the street address
6 listed on the summons;

7 (c) By facsimile to the facsimile number listed on the summons.
8 Service by facsimile is complete upon successful transmission to the
9 facsimile number listed upon the summons;

10 (d) As otherwise authorized by the superior court civil rules.

11 (3) The summons for unlawful detainer actions for tenancies covered
12 by this chapter shall be substantially in the following form. In
13 unlawful detainer actions based on nonpayment of rent, the summons may
14 contain the provisions authorized by RCW 59.18.375.

15 IN THE SUPERIOR COURT OF THE
16 STATE OF WASHINGTON IN AND FOR COUNTY

17 Plaintiff, } NO.
18 }
19 vs. } EVICTION SUMMONS
20 } (Residential)
21 Defendant.

22 THIS IS NOTICE OF A LAWSUIT TO EVICT YOU.
23 PLEASE READ IT CAREFULLY. THE DEADLINE FOR YOUR WRITTEN
24 RESPONSE IS: 5:00 p.m., on

25 TO: (Name)
26 (Address)

27 This is notice of a lawsuit to evict you from the property which
28 you are renting. Your landlord is asking the court to terminate your
29 tenancy, direct the sheriff to remove you and your belongings from the
30 property, enter a money judgment against you for unpaid rent and/or
31 damages for your use of the property, and for court costs and
32 attorneys' fees.

33 If you want to defend yourself in this lawsuit, you must respond to
34 the eviction complaint in writing on or before the deadline stated
35 above. You must respond in writing even if no case number has been
36 assigned by the court yet.

1 You can respond to the complaint in writing by delivering a copy of
2 a notice of appearance or answer(~~(, and if required by this summons, a~~
3 ~~sworn statement regarding nonpayment of rent,~~) to your landlord's
4 attorney (or your landlord if there is no attorney) by personal
5 delivery, mailing, or facsimile to the address or facsimile number
6 stated below **TO BE RECEIVED NO LATER THAN THE DEADLINE STATED ABOVE.**
7 Service by facsimile is complete upon successful transmission to the
8 facsimile number, if any, listed in the summons.

9 The notice of appearance or answer must include the name of this
10 case (plaintiff(s) and defendant(s)), your name, the street address
11 where further legal papers may be sent, your telephone number (if any),
12 and your signature.

13 If there is a number on the upper right side of the eviction
14 summons and complaint, you must also file your original notice of
15 appearance or answer with the court clerk by the deadline for your
16 written response.

17 You may demand that the plaintiff file this lawsuit with the court.
18 If you do so, the demand must be in writing and must be served upon the
19 person signing the summons. Within fourteen days after you serve the
20 demand, the plaintiff must file this lawsuit with the court, or the
21 service on you of this summons and complaint will be void.

22 If you wish to seek the advice of an attorney in this matter, you
23 should do so promptly so that your written response, if any, may be
24 served on time.

25 You may also be instructed in a separate order to appear for a
26 court hearing on your eviction. If you receive an order to show cause
27 you must personally appear at the hearing on the date indicated in the
28 order to show cause **IN ADDITION** to delivering and filing your notice of
29 appearance or answer by the deadline stated above.

30 IF YOU DO NOT RESPOND TO THE COMPLAINT IN WRITING BY THE
31 DEADLINE STATED ABOVE YOU WILL LOSE BY DEFAULT. YOUR LANDLORD
32 MAY PROCEED WITH THE LAWSUIT, EVEN IF YOU HAVE MOVED OUT OF THE
33 PROPERTY.

34 The notice of appearance or answer must be delivered to:

35
36 Name

1
2 Street Address
3
4 Telephone Number
5
6 Facsimile Number (Required
7 if Available)

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