

HB 1865-S.E - DIGEST

(DIGEST AS ENACTED)

Instructs a landlord to, upon the execution of a writ of restitution by the sheriff, enter and take possession of any property of the tenant found on the premises. The landlord may store the property in any reasonably secure place, including the premises, and sell or dispose of the property as provided under this act.

Requires the landlord to store the property if the tenant serves a written request to do so on the landlord or the landlord's representative by any of the methods described in RCW 59.18.365 no later than three days after service of the writ.

Provides that when serving a tenant with a writ of restitution, the sheriff shall also serve the tenant with a form provided by the landlord that can be used to request the landlord to store the tenant's property.

VETO MESSAGE ON ESHB 1865

March 17, 2008

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Section 2, Engrossed Substitute House Bill 1865 entitled:

"AN ACT Relating to limiting the obligations of landlords under writs of restitution."

Section 2 is an emergency clause. An emergency clause is to be used where it is necessary for the immediate preservation of the public peace, health or safety or whenever it is necessary for the support of state government. Engrossed Substitute House Bill 1865 clarifies the rights and obligations of landlords and tenants, while including new rights for tenants. Consequently, I do not believe that an emergency clause is necessary.

For this reason, I have vetoed Section 2 of Engrossed Substitute House Bill 1865.

With the exception of Section 2, Engrossed Substitute House Bill 1865 is approved.

Respectfully submitted,
Christine Gregoire
Governor