

# SENATE BILL REPORT

## SB 6772

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As of February 1, 2010

**Title:** An act relating to service of notice requirements under the residential landlord-tenant act.

**Brief Description:** Modifying service of notice requirements under the residential landlord-tenant act.

**Sponsors:** Senator Benton.

**Brief History:**

**Committee Activity:** Financial Institutions, Housing & Insurance: 2/02/10.

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### SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & INSURANCE

**Staff:** Alison Mendiola (786-7483)

**Background:** A tenant of residential rental property may be sued for unlawful detainer (commonly known as eviction) for a number of reasons provided in statute including to failing to pay rent. To start this process, a landlord is to deliver a three-day notice to pay rent or vacate the premises.

Service of Notice. When a landlord starts the unlawful detainer process, the landlord is to serve the tenant with notice of the action by either: (1) delivering a copy of the notice to the tenant in person; (2) if the tenant is not home, a copy of the notice may be left with a person of suitable age and a copy must also be mailed to the tenant; or (3) if the tenant cannot be found and there is not someone of a suitable age, a copy of the notice may be placed in a conspicuous location and as well as delivering a copy to a person on the property, if such a person can be found, and sending a copy of the notice through the mail.

A landlord must strictly comply with the notice requirements in order for the court to have jurisdiction over the unlawful detainer proceedings.

**Summary of Bill:** The service of notice statute is revised to state that if there are two or more tenants entitled to receive notice, a jointly addressed copy of the notice is required, whether personally delivered, mailed, or posted.

**Appropriation:** None.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.