
HOUSE BILL 1228

State of Washington 61st Legislature 2009 Regular Session

By Representatives O'Brien and Warnick

Read first time 01/15/09. Referred to Committee on Judiciary.

1 AN ACT Relating to the disposition of a deceased tenant's personal
2 property; and adding a new section to chapter 59.18 RCW.

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

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

6 (1) Upon the death of a tenant and the subsequent default in the
7 payment of rent by the tenant, the landlord may immediately enter and
8 take possession of any property of the tenant found on the premises and
9 may store the property in a reasonably secure place. A landlord must
10 treat the personal property as abandoned as described in RCW 59.18.310.

11 (2) Upon the death of a tenant, a person may not enter the tenant's
12 unit and remove personal property and household goods, other than
13 burial clothes, a pet, the deceased tenant's will, or any perishable
14 items, without a certified copy of any testamentary letters or
15 affidavit of successor as described in RCW 11.62.010 or otherwise
16 meeting the requirements of RCW 11.62.010.

17 (3) If at the time of a tenant's death there is no other person
18 listed on the lease and at any time after forty days from the date of
19 the tenant's death, a person who has possession of any personal

1 property belonging to the decedent shall deliver the personal property
2 to a person claiming to be a successor of the decedent upon the receipt
3 of proof of death and an affidavit made by the person claiming to be
4 the successor of the decedent that meets the requirements of RCW
5 11.62.010.

6 (4) If, after forty days but no later than forty-five days after
7 the tenant's death, a successor does not claim the deceased tenant's
8 personal property but a closest surviving relation of the deceased
9 tenant exists and claims possession of the tenant's personal property,
10 the surviving relation must fill out a dated, signed, and notarized
11 affidavit of next of kin that includes: The date that the decedent
12 passed away; the nature of the surviving relation's relationship to the
13 decedent; and a statement that he or she is the closest surviving
14 relative (a) asking for the possession and location of the decedent's
15 personal property and (b) indemnifying and holding harmless the rental
16 unit's owner, its agents, employees, or principal from a third party
17 who claims the right to the decedent's personal property.

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