
SENATE BILL 5425

State of Washington

63rd Legislature

2013 Regular Session

By Senators Benton and Roach

Read first time 01/30/13. Referred to Committee on Financial Institutions, Housing & Insurance.

1 AN ACT Relating to the entering of monetary judgments against
2 defendants under the residential and manufactured/mobile home
3 landlord-tenant acts; and amending RCW 59.18.055.

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

5 **Sec. 1.** RCW 59.18.055 and 1997 c 86 s 1 are each amended to read
6 as follows:

7 (1) When the plaintiff, after the exercise of due diligence, is
8 unable to personally serve the summons on the defendant, the court may
9 authorize the alternative means of service described herein. Upon
10 filing of an affidavit from the person or persons attempting service
11 describing those attempts, and the filing of an affidavit from the
12 plaintiff, plaintiff's agent, or plaintiff's attorney stating the
13 belief that the defendant cannot be found, the court may enter an order
14 authorizing service of the summons as follows:

15 (a) The summons and complaint shall be posted in a conspicuous
16 place on the premises unlawfully held, not less than nine days from the
17 return date stated in the summons; and

18 (b) Copies of the summons and complaint shall be deposited in the

1 mail, postage prepaid, by both regular mail and certified mail directed
2 to the defendant's or defendants' last known address not less than nine
3 days from the return date stated in the summons.

4 When service on the defendant or defendants is accomplished by this
5 alternative procedure, the court's jurisdiction is limited to restoring
6 possession of the premises to the plaintiff and no money judgment may
7 be entered against the defendant or defendants until such time as
8 jurisdiction over the defendant or defendants is obtained. Consent,
9 the entering of a general appearance, or the filing of a responsive
10 document by the defendant or defendants establishes personal
11 jurisdiction over the defendant or defendants for purposes of this
12 section and a money judgment may be entered against the defendant or
13 defendants.

14 (2) This section shall apply to this chapter and chapter 59.20 RCW.

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