

SSB 5219 - S AMD 240
By Senator Benton

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 59.12.030 and 1998 c 276 s 6 are each amended to
4 read as follows:

5 A tenant of real property for a term less than life is guilty of
6 unlawful detainer either:

7 (1) When he or she holds over or continues in possession, in
8 person or by subtenant, of the property or any part thereof after the
9 expiration of the term for which it is let to him or her. When real
10 property is leased for a specified term or period by express or
11 implied contract, whether written or oral, the tenancy shall be
12 terminated without notice at the expiration of the specified term or
13 period;

14 (2) When he or she, having leased property for an indefinite time
15 with monthly or other periodic rent reserved, continues in possession
16 thereof, in person or by subtenant, after the end of any such month
17 or period, when the landlord, more than twenty days prior to the end
18 of such month or period, has served notice (in manner in RCW
19 59.12.040 provided) requiring him or her to quit the premises at the
20 expiration of such month or period;

21 (3) When he or she continues in possession in person or by
22 subtenant after a default in the payment of rent, and after notice in
23 writing requiring in the alternative the payment of the rent and any
24 late fees associated with the nonpayment, or the surrender of the
25 detained premises, served (in manner in RCW 59.12.040 provided) in
26 behalf of the person entitled to the rent and late fees upon the
27 person owing it, has remained uncomplied with for the period of three
28 days after service thereof. The notice may be served at any time
29 after the rent becomes due;

30 (4) When he or she continues in possession in person or by
31 subtenant after a neglect or failure to keep or perform any other
32 condition or covenant of the lease or agreement under which the
33 property is held, including any covenant not to assign or sublet,
34 than one for the payment of rent, and after notice in writing

1 requiring in the alternative the performance of such condition or
2 covenant or the surrender of the property, served (in manner in RCW
3 59.12.040 provided) upon him or her, and if there is a subtenant in
4 actual possession of the premises, also upon such subtenant, shall
5 remain uncomplied with for ten days after service thereof. Within ten
6 days after the service of such notice the tenant, or any subtenant in
7 actual occupation of the premises, or any mortgagee of the term, or
8 other person interested in its continuance, may perform such
9 condition or covenant and thereby save the lease from such
10 forfeiture;

11 (5) When he or she commits or permits waste upon the demised
12 premises, or when he or she sets up or carries on thereon any
13 unlawful business, or when he or she erects, suffers, permits, or
14 maintains on or about the premises any nuisance, and remains in
15 possession after the service (in manner in RCW 59.12.040 provided)
16 upon him or her of three days' notice to quit;

17 (6) A person who, without the permission of the owner and without
18 having color of title thereto, enters upon land of another and who
19 fails or refuses to remove therefrom after three days' notice, in
20 writing and served upon him or her in the manner provided in RCW
21 59.12.040. Such person may also be subject to the criminal provisions
22 of chapter 9A.52 RCW; or

23 (7) When he or she commits or permits any gang-related activity
24 at the premises as prohibited by RCW 59.18.130."

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25 On page 1, line 1 of the title, after "detainer;" strike the
26 remainder of the title and insert "and amending RCW 59.12.030."

EFFECT: Clarifies that other fees that must be paid by a tenant
in order to avoid eviction after a three-day notice are the late fees
associated with the nonpayment of rent.

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