

ESSB 5600 - H AMD TO H AMD (H-2831.2/19) **592**

By Representative Dufault

NOT ADOPTED 04/12/2019

1 On page 10, line 24 of the striking amendment, after "fees" strike
2 "as provided in RCW 59.18.290" and insert "except if the court makes a
3 finding that the landlord acted in bad faith, in which case the
4 landlord is not entitled to an award of reasonable attorneys' fees"

5
6 On page 21, beginning on line 10 of the striking amendment, after
7 "fees" strike all material through "59.18.410(3)" on line 24 and
8 insert "except if the court makes a finding that the landlord acted in
9 bad faith, in which case the landlord is not entitled to an award of
10 reasonable attorneys' fees"

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EFFECT: Strikes provisions prohibiting the award of reasonable attorneys' fees in situations in which: the judgment for possession is entered after the tenant has failed to appear; the total amount of rent is equal to or less than a certain amount; or, in which the tenant has filed a motion to stay the writ but is not permitted to be reinstated. Reinstates current law provisions allowing the court discretion to award reasonable attorneys' fees but prohibits such an award to a landlord in cases in which the court finds that the landlord acted in bad faith.

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