

HB 1462 - S COMM AMD

By Committee on Financial Institutions, Economic Development & Trade

ADOPTED 04/13/2019

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

3 **"Sec. 1.** RCW 59.18.200 and 2008 c 113 s 4 are each amended to
4 read as follows:

5 (1)(a) When premises are rented for an indefinite time, with
6 monthly or other periodic rent reserved, such tenancy shall be
7 construed to be a tenancy from month to month, or from period to
8 period on which rent is payable, and shall be terminated by written
9 notice of twenty days or more, preceding the end of any of the months
10 or periods of tenancy, given by either party to the other.

11 (b) Any tenant who is a member of the armed forces, including the
12 national guard and armed forces reserves, or that tenant's spouse or
13 dependent, may terminate a rental agreement with less than twenty
14 days' notice if the tenant receives reassignment or deployment orders
15 that do not allow a twenty-day notice.

16 (2)(a) Whenever a landlord plans to change to a policy of
17 excluding children, the landlord shall give a written notice to a
18 tenant at least ninety days before termination of the tenancy to
19 effectuate such change in policy. Such ninety-day notice shall be in
20 lieu of the notice required by subsection (1) of this section.
21 However, if after giving the ninety-day notice the change in policy
22 is delayed, the notice requirements of subsection (1) of this section
23 shall apply unless waived by the tenant.

24 (b) Whenever a landlord plans to change any apartment or
25 apartments to a condominium form of ownership, the landlord shall
26 provide a written notice to a tenant at least one hundred twenty days
27 before termination of the tenancy, in compliance with RCW
28 64.34.440(1), to effectuate such change. The one hundred twenty-day
29 notice is in lieu of the notice required in subsection (1) of this
30 section. However, if after providing the one hundred twenty-day
31 notice the change to a condominium form of ownership is delayed, the

1 notice requirements in subsection (1) of this section apply unless
2 waived by the tenant.

3 (c) (i) Whenever a landlord plans to demolish or substantially
4 rehabilitate premises or plans a change of use of premises, the
5 landlord shall provide a written notice to a tenant at least one
6 hundred twenty days before termination of the tenancy. This
7 subsection (2)(c)(i) does not apply to jurisdictions that have
8 created a relocation assistance program under RCW 59.18.440 and
9 otherwise provide one hundred twenty days' notice.

10 (ii) For purposes of this subsection (2)(c):

11 (A) "Assisted housing development" means a multifamily rental
12 housing development that either receives government assistance and is
13 defined as federally assisted housing in RCW 59.28.020, or that
14 receives other federal, state, or local government assistance and is
15 subject to use restrictions.

16 (B) "Change of use" means: (I) Conversion of any premises from a
17 residential use to a nonresidential use that results in the
18 displacement of an existing tenant; (II) conversion from one type of
19 residential use to another type of residential use that results in
20 the displacement of an existing tenant, such as conversion to a
21 retirement home, emergency shelter, or transient hotel; or (III)
22 conversion following removal of use restrictions from an assisted
23 housing development that results in the displacement of an existing
24 tenant: PROVIDED, That displacement of an existing tenant in order
25 that the owner or a member of the owner's immediate family may occupy
26 the premises does not constitute a change of use.

27 (C) "Demolish" means the destruction of premises or the
28 relocation of premises to another site that results in the
29 displacement of an existing tenant.

30 (D) "Substantially rehabilitate" means extensive structural
31 repair or extensive remodeling of premises that requires a permit
32 such as a building, electrical, plumbing, or mechanical permit, and
33 that results in the displacement of an existing tenant.

34 (3) A person in violation of subsection (2)(c)(i) of this section
35 may be held liable in a civil action up to three times the monthly
36 rent of the real property at issue. The prevailing party may also
37 recover court costs and reasonable attorneys' fees."

1 On page 1, line 2 of the title, after "premises;" strike the
2 remainder of the title and insert "amending RCW 59.18.200; and
3 prescribing penalties."

EFFECT: (1) Exempts jurisdictions that have a relocation assistance program and otherwise provide 120 days' notice from the 120 days' notice before termination of tenancy requirement; and

(2) Establishes that a person may be held liable in a civil action up to three times the monthly rent of the real property at issue if a person violates the 120 days' notice.

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