
SENATE BILL 5250

State of Washington

69th Legislature

2025 Regular Session

By Senators J. Wilson, Christian, and Wagoner

Read first time 01/14/25. Referred to Committee on Law & Justice.

1 AN ACT Relating to improving legal processes to deter squatters;
2 amending RCW 9A.52.105 and 9A.52.115; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that squatting is a
5 major public problem that interferes with property owners' rights,
6 discourages investment in rental housing, erodes public confidence in
7 the eviction process, creates opportunities for criminal activity,
8 and ultimately contributes to Washington's homelessness and housing
9 crises. Therefore, the legislature intends to strengthen Washington's
10 antisquatting law by expanding it to cover former tenants who are no
11 longer occupying premises pursuant to a valid rental agreement, and
12 by authorizing law enforcement to remove squatters without delay.

13 **Sec. 2.** RCW 9A.52.105 and 2017 c 284 s 1 are each amended to
14 read as follows:

15 (1) Subject to subsections (2) and (3) of this section and upon
16 the receipt of a declaration signed under penalty of perjury, in the
17 form prescribed in RCW 9A.52.115, declaring the truth of all of the
18 required elements set forth in subsection (4) of this section, a
19 peace officer shall have the authority to:

1 (a) Remove the person or persons from the premises without delay,
2 with or without arresting the person or persons; and

3 (b) Order the person or persons to remain off the premises or be
4 subject to arrest for criminal trespass.

5 (2) Only a peace officer having probable cause to believe that a
6 person is guilty of criminal trespass under RCW 9A.52.070 for
7 knowingly entering or remaining unlawfully in a building considered
8 residential real property, as defined in RCW 61.24.005, has the
9 authority and discretion to make an arrest or exclude anyone under
10 penalty of criminal trespass.

11 (3) While a peace officer can take into account a declaration
12 from the property owner signed under penalty of perjury containing
13 all of the required elements and in the form prescribed in RCW
14 9A.52.115, the peace officer must provide the occupant or occupants
15 with a reasonable opportunity to secure and present any credible
16 evidence provided by the person or persons on the premises, which the
17 peace officer must consider, showing that the person or persons are
18 tenants, legal occupants, or the guests or invitees of tenants or
19 legal occupants.

20 (4) The declaration must include the following elements:

21 (a) That the declarant is the owner of the premises or the
22 authorized agent of the owner of the premises;

23 (b) That an unauthorized person or persons have entered and are
24 remaining unlawfully on the premises;

25 (c) That the person or persons were not authorized to enter or
26 remain;

27 (d) That the person or persons are not a tenant or tenants (~~and~~
28 ~~have not been a tenant or tenants, or a homeowner or homeowners who~~
29 ~~have been on title, within the last twelve months on the property))
30 occupying the premises pursuant to a valid rental agreement,
31 including an agreement that provides for the tenancy to continue for
32 an indefinite period, or on a month-to-month or periodic basis, after
33 the agreement expires;~~

34 (e) That the person or persons are not a homeowner or homeowners
35 who have been on title within the last 12 months on the property;

36 (f) That the declarant has demanded that the unauthorized person
37 or persons vacate the premises but they have not done so;

38 (~~(f)~~) (g) That the premises were not abandoned at the time the
39 unauthorized person or persons entered;

1 (3) [] The person or persons were not authorized to enter or
2 remain;

3 (4) [] The person or persons are not a tenant or tenants ((and
4 ~~have not been a tenant or tenants, or a homeowner or homeowners who~~
5 ~~have been on title, within the last twelve months on the property))
6 occupying the premises pursuant to a valid rental agreement,
7 including an agreement that provides for the tenancy to continue for
8 an indefinite period, or on a month-to-month or periodic basis, after
9 the agreement expires;~~

10 (5) [] The person or persons are not a homeowner or homeowners
11 who have been on title within the last 12 months on the property;

12 (6) [] The declarant has demanded that the unauthorized person
13 or persons vacate the premises but they have not done so;

14 ((+6)) (7) [] The premises were not abandoned at the time the
15 unauthorized person or persons entered;

16 ((+7)) (8) [] The premises were not open to members of the
17 public at the time the unauthorized person or persons entered;

18 ((+8)) (9) [] The declarant understands that a person or
19 persons removed from the premises pursuant to RCW 9A.52.105 may bring
20 a cause of action under RCW 4.24.355 against the declarant for any
21 false statements made in this declaration, and that as a result of
22 such action the declarant may be held liable for actual damages,
23 costs, and reasonable attorneys' fees;

24 ((+9)) (10) [] The declarant understands and acknowledges the
25 prohibitions in RCW 59.18.230 and 59.18.290 against taking or
26 detaining an occupant's personal property or removing or excluding
27 ((an occupant)) a tenant from a dwelling unit or rental premises
28 without an authorizing court order;

29 ((+10)) (11) [] The declarant agrees to indemnify and hold
30 harmless law enforcement for its actions or omissions made in good
31 faith pursuant to this declaration; and

32 ((+11)) (12) [] Additional Optional Explanatory Comments:
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34

35 A declarant of premises who falsely swears on a declaration
36 provided under this section may be guilty of false swearing under RCW
37 9A.72.040 or of making a false or misleading statement to a public
38 servant under RCW 9A.76.175, both of which are gross misdemeanors.