

EVICTION REMINDERS

When a landlord wants a tenant to move out, certain procedures must be followed. There are four types of evictions under the law, each requiring a specific type of notice:

1. **For not paying rent.** If the tenant is even one day behind in rent, the landlord can issue a three-day notice to pay or move out. If the tenant pays all the rent due within the three days, the landlord must accept it and cannot evict the tenant. A landlord is not required to accept a partial payment.
2. **For not complying with the terms of the rental agreement.** If a tenant is not complying with the rental agreement, (for example, keeping a cat when the agreement specifies “no pets”), the landlord can give a ten-day notice to comply or move out. If the tenant remedies the situation within that time, the landlord cannot continue the eviction process.
3. **For creating a “waste or nuisance.”** If a tenant destroys the landlord’s property, uses the premises for unlawful activity including gang or drug-related activities, damages the value of the property, interferes with other tenant’s use of the property, the landlord can issue a three-day notice to move out. The tenant **must** move out after receiving this type of notice. There is no option to stay and correct the problem.
4. **For no cause.** Except in the city of Seattle, landlords in Washington State can evict month-to-month tenants without having or stating a particular reason, as long as the eviction is not discriminatory or retaliatory. If the landlord wants a tenant to move out and does not give a reason, the tenant must be given a 20-day notice to leave. The tenant must receive the notice at least 20 days before the next rent is due. The tenant can only be required to move out at the end of the rental period (the day before a rental payment is due.)

Usually, a 20-day notice cannot be used if the tenant has signed a lease. Check the specific rental document to determine if a lease can be ended this way. If the rental is being converted to a condominium, the tenant must be given a 90-day notice under state law.

How must a landlord notify the tenant of eviction proceedings? For a landlord to take legal action against a tenant who does not move out, the landlord must first give written notice to the tenant in accordance with the law (RCW 59.12.040). The landlord’s options include personal service, and service by placing the notice in a prominent place on the premises with service by mail. See the statute (page 18 in the Landlord/Tenant Law Handbook) to ensure strict compliance or call your personal attorney or the Rental Association’s Legal Plan Provider.