

SERVICE OF NOTICE – PROOF OF SERVICE RCW 59.12.040.

**This handout was compiled with the assistance of our attorneys
L/T SERVICES, INC.**

RCW 59.12.040 Any notice provided for in this chapter shall be served either:

(1) By delivering a copy personally to the person entitled thereto; or

(2) If he is absent from the premises unlawfully held, by leaving there a copy/copies, (ONE FOR EACH TENANT LISTED ON NOTICE) with some person of suitable age and discretion, and sending a copy/copies through the mail addressed to the person entitled thereto at their place of residence; (A COPY NEEDS TO BE MAILED INDIVIDUALLY TO EACH NAMED TENANT) or**

(3) If the person to be notified be a tenant, or an unlawful holder of premises, and his place of residence is not known, or if a person of suitable age and discretion there cannot be found then by affixing a copy/copies (ONE FOR EACH TENANT LISTED ON THE NOTICE) of the notice in a conspicuous place on the premises unlawfully held, and also delivering a copy/copies to a person there residing, if such a person can be found, and also sending a copy/copies through the mail addressed to the tenant, or unlawful occupants, at the place where the premises unlawfully held are situated. Service on a subtenant may be made in the same manner. (a COPY NEEDS TO BE MAILED INDIVIDUALLY TO EACH NAMED TENANT)**

PROVIDED, That in cases where the tenant or unlawful occupants, shall be conducting a hotel, inn, lodging house, boarding house, or shall be renting rooms while still retaining control of the premises as a whole, that the guests, lodgers, boarders or persons renting such rooms shall not be considered as subtenants within the meaning of this chapter, but all such persons may be served by affixing a copy of the notice to be served in two conspicuous places upon the premises unlawfully held; and such persons shall not be necessary parties defendant in an action to recover possession of said premises.

Service of any notice provided for in this chapter may be had upon a corporation by delivering a copy thereof to any officer, agent or person having charge of the business of such corporation, at the premises unlawfully held, and in case no such officer, agent or person can be found upon such premises, then service may be had by affixing a copy of such notice in a conspicuous place upon said premises and by sending a copy through the mail addressed to such corporation at the place where said premises are situated.

Proof of service under this section may be made by Affidavit of the person making the same in like manner and with like effect as the proof of service of summons in civil actions. When a copy of notice is sent through the mail, as provided in this section, service shall be deemed complete when such copy is deposited in the US mail in the COUNTY in which the property is situated properly addressed with postage prepaid: **PROVIDED HOWEVER, That when service is made by mail ONE ADDITIONAL DAY shall be allowed before the commencement of an action based upon such notice.**