

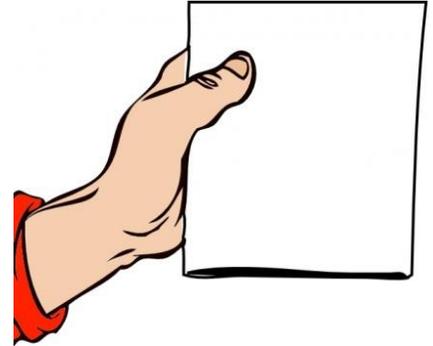
Understanding 14-Day Notices to Pay Rent or Vacate

By Christopher D. Cutting, Cutting Law Office PC

In 2019, Senate Bill 5600 dramatically changed how pay or vacate notices work. The bill did far more than extend the tenant's period to comply from 3 to 14 days. It also created a specific form for the notice and a list of what is and is not permitted on the notice.

What goes in the notice?

The notice is restricted to "rent," which means periodic payments made for the use of the premises. "Rent" includes base rent, rent for items such as parking or storage, and utilities if they are referred to as rent in the lease. Additionally, installment payments on move-in fees may be included in the notice if the payment plan is in writing. Whenever possible, itemize by month and type of charge. The notice can never include late fees, NSF check fees, damages charges, legal fees, or other fees that do not recur on a set schedule.



Do I have to use a particular form?

You must use the form written by the legislature. Landlords are no longer permitted to draft their own pay or vacate form. Landlords can still fill out the form, but they cannot change the legislature's language. You can add to the form: add your and your tenant's names and addresses, add the money due, add any additional warnings you wish to give the tenant. You cannot subtract from the form; the form must comply with state law, and removing language or formatting from the legislature's form in a manner that makes it harder to understand denies the tenant information you are required to give.



Do I have to accept cash?

You are not required to accept any form of payment that is prohibited by your lease. By default, all debts may be paid in any manner—cash, cashier's check, money order, personal check, or anything else. You can limit how a tenant may pay in your lease. However, you cannot remove "cash" from the notice. The notice must be in the form written by the legislature. But when accepting payments, you still follow your lease. If your lease says you do not accept cash, you do not have to accept cash. Unless your lease does not say how a tenant can or cannot pay, you must accept all forms of payment.

Where can I get more information?

The easiest way to prepare a 14-day notice is to use a form prepared by the Washington Attorney General or your attorney. A free form is available on our website at ltservices.net/forms. Contact us with any questions about filling it in or have us prepare and serve it for you.

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