

2019 Legislative Update

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This was a busy year for residential landlord-tenant relations at the Washington Legislature. This Legislative Update contains a summary of three of those bills, but is not a substitute for individual advice from an attorney. The “eviction reform bill” concerning non-payment of rent evictions is addressed in a separate update. LT Services will update our free forms on our website as needed closer to the effective date of each bill.

Residential Rent Increases (HB 1440)

A landlord must now provide a minimum of 60 days’ advance notice of a rent increase regardless of the amount of the increase. See our Quicksheet at ltservices.net/eviction-faq for a more detailed discussion of delivering notices of rent increase. If the rent (not the tenant’s share of the rent) is determined based on a tenant’s income or other circumstances, only 30 days’ advance notice is required. This shorter period primarily applies to government landlords and certain unit-based rental subsidies.

Local Impact: This renders local ordinances in Seattle, Tacoma, and Vancouver irrelevant because all increases statewide now require 60 days.

Termination of Tenancy for Demolition, Substantial Rehabilitation, or Change in Use (HB 1462)

A landlord who wishes to terminate a tenant must now provide 120 days’ advance notice when the purpose of the termination is to allow the landlord to demolish, substantially rehabilitate, or change the use of the unit. A termination for any other cause still requires only 20 days’ advance notice. The longer period does not apply when an owner or the immediate family member of an owner wishes to move in. The longer period does not apply when the contemplated renovations do not require any type of building, plumbing, electrical, or mechanical permit.

Local Impact: The law does not override local jurisdictions, such as Seattle and Tacoma, that created local relocation assistance programs with similar or longer notice periods.

Service Members Termination of Tenancy (HB 1138)

This law clarifies when a member of the armed services or a dependent of a member of the armed services may terminate a tenancy due to reassignment or deployment orders. A month-to-month tenant must still comply with the 20 day notice requirement unless the timing of the orders makes that impossible. A fixed term tenant may only terminate the tenancy if one of six circumstances apply transferring the Service Member to a location more than 35 miles from the unit, requiring the Service Member to move to government housing, or “prematurely or involuntarily” discharging the Service Member from active duty status.

Note, the federal Servicemembers Civil Relief Act provides slightly different protections and the Service Member may seek protection under either statute.

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