

SENATE BILL REPORT

SB 6572

As Reported By Senate Committee On:
Judiciary, February 2, 2006

Title: An act relating to the unlawful detainer process under the residential landlord-tenant act.

Brief Description: Revising the unlawful detainer process under the residential landlord-tenant act.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity: Judiciary: 1/24/06, 2/02/06 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 6572 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin, Rasmussen and Thibaudeau.

Staff: Cindy Fazio (786-7405)

Background: The Residential Landlord-Tenant Act (RLTA) governs the relationship between landlords and tenants of residential dwelling units, establishes the duties and liabilities of the parties, and provides procedures for each side to enforce its rights.

An unlawful detainer action is a court process to evict a tenant who remains on the rental premises beyond the time he or she is required to leave. The landlord must serve the tenant with a summons and complaint, which must designate a specific date by which the tenant must respond. The tenant's response generally must be in writing, and be provided to the landlord. Additionally, the summons may require that the tenant provide a specific sworn statement denying that rent is due, and stating the reason the rent is not due. There are two statutes directing this process. One statute contains a sample summons form; the other statute describes and provides sample language for an action with a sworn statement. The notice delivery options are different in the two statutes.

Summary of Substitute Bill: The language requiring a sworn statement of nonpayment of rent is removed from the sample summons form provided in the statute. The complementary statute, chapter 59.18.375 RCW, is added and amended to include the same notice delivery options as contained in chapter 59.18.365 RCW.

Substitute Bill Compared to Original Bill: The sworn statement statute, chapter 59.18.375 RCW, is added and amended to include the same notice delivery options as the sample summons statute.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Who Testified: No one.