



LANDLORD/TENANT LAW

Choices for Eviction

When a landlord wants a resident to move out, certain procedures must be followed. This page provides a brief description of the various options available to landlords under Washington law. Each option has a specific legal process which must be followed. For a complete definition of eviction options and serving process, review the latest version of the Residential Landlord-Tenant Act for the State of Washington Revised Code of Washington, Title 59.

- 1. FOR NOT PAYING RENT.** If the resident is even one day behind in rent, the landlord can issue a *three-day notice to pay rent or vacate*. If the resident pays all the rent due within three days, the landlord must accept it and can not evict the resident. A landlord is not required to accept a partial payment.
- 2. FOR NOT COMPLYING WITH TERMS OF THE RENTAL AGREEMENT.** If a resident is not complying with the rental agreement (for example, keeping a cat when the agreement specifies no pets or unauthorized people are living in the rental), the landlord can give a *ten-day notice to comply or vacate*. If the resident remedies the situation within that time, the landlord can not continue with the eviction process.
- 3. FOR CREATING A WASTE, NUISANCE, OR ILLEGAL ACTIVITY.** If a resident destroys the landlord's property, uses the premises for unlawful activity including drug-related activities, damages the value of the property or interferes with other resident's use of the property, the landlord can issue a *three-day notice for waste, nuisance or illegal activity*. The resident must move out after receiving this type of notice. There is no option to stay and correct the problem.
- 4. FOR NO CAUSE.** Landlords can terminate the tenancy of month-to-month residents without having or stating a particular reason, as long as the termination of tenancy is not discriminatory or retaliatory. If the landlord wants a resident to move out and does not give a reason, the resident must be given a *20-day notice to leave*. The resident must receive the notice at least 20 days before the end of the rental period (usually the last day of the month). The resident can only be required to move out at the end of a rental period (the day before a rental payment is due). Usually, a 20-day notice can not be used if the resident has signed a lease.
- 5. MUTUAL AGREEMENT TO DISSOLVE THE LEASE.** This is a frequently overlooked method. Write the resident a letter discussing the problem and offering whatever supporting or circumstantial evidence seems appropriate. Recommend dissolving the terms of the lease, allowing the resident to search for other housing without going through the confrontation.

This form is provided to you by the Yakima Police Department as part of the *Crime Free Rental Housing* program. Please call 575-6184 if you have any questions regarding this program.

* Always consult with your with your attorney before relying on any of the above information. *