



Recent Changes to State Law

During the 2021 Session, the Washington State Legislature passed new laws, or amended existing laws, that impact tenants and landlords. This document is a summary of important recent changes but is not a complete picture of everything contained in the law. This summary is provided for information purposes only and is not legal advice.

2021 Statewide Legal updates

[House Bill 1236:](#)

Just Cause Eviction

Landlords can no longer end month-to-month lease agreements for no reason, by providing a 20-day "no cause" termination notice. Landlords must give tenants a written notice with one of several defined reasons for ending rental agreements and evicting tenants. Reasons include: nonpayment of rent, unlawful activity, the landlord or landlord's family member plans to move into the unit, or the landlord decides to sell the property. Landlords can still end a tenancy for no reason at the end of some 6-12 month lease terms, by providing the tenant with 60 days written notice.

[Senate Bill 5160:](#)

The Washington State Attorney General's Office has issued [guidance about SB5160](#)

Standards for Rent Repayment Plans

Landlords must offer tenants a reasonable repayment plan for rent owed between March 1, 2020 and 6 months following the expiration of the moratorium. Monthly payments cannot be more than 1/3 of the monthly rent. First payment cannot be due for 30 days. Landlords cannot charge late fees or other charges for rent that was not paid between March 1, 2020 and 6 months following the expiration of the moratorium.

Eviction Resolution Pilot Program

In some counties (including Thurston County), landlords are required to provide tenants contact information for an Eviction Resolution Pilot Program when tenants are behind on rent before the landlord can begin the eviction process. This program helps tenants and landlords agree on how to make up rent owed instead of going to court and also helps tenants find rent assistance. Landlords cannot file an eviction in court without notifying the Eviction Resolution Program and attempting resolution through the program. ([Dispute Resolution Center of Thurston County is the local Eviction Resolution Program.](#))

Tenants with low incomes may get a lawyer in eviction court

The Legislature is funding legal service providers to help more tenants in eviction cases. Subject to funding, the court must appoint a lawyer to low-income tenants in filed eviction cases. A person is eligible for free representation if they receive public assistance (like Food Stamps) or their annual

income, after taxes, is 200% or below the federal poverty guidelines. This program may take up to a year to be fully implemented.

Reporting to a Prospective Landlord

Landlords cannot report to a prospective landlord that a tenant didn't pay rent or was evicted for not paying rent between March 1, 2020 and 6 months following the expiration of the eviction moratorium. The prospective landlord can't take adverse action for nonpayment during this timeframe (like charge an extra deposit). Landlords or prospective landlords cannot ask for, discourage, or deny a tenant based on their medical history, including current exposure or infection to COVID-19, unless information is necessary for a reasonable accommodation requested by the tenant.

Creates a Landlord Covid Relief Program

Offers landlords up to \$15,000 for unpaid rents from March 2020 through December 2021 when a tenant has defaulted on a repayment plan or vacated/abandoned the property without being evicted. If a landlord evicts or pursues other legal action against their tenant for unpaid rent, they will be ineligible to receive reimbursement from the program. (More information about the program at www.commerce.wa.gov/landlordfund)

2020 Statewide Legal Update:

[House Bill 1694:](#)

Tenants can pay deposits, last month's rent, and certain nonrefundable fees in an installment plan. A landlord is required to accept an installment plan if requested by the tenant in writing, unless last month's rent is not required upfront and the total amount of deposits and nonrefundable fees is less than 25% of the first month's rent. Any payment plan must be in writing and signed by both the tenant and landlord. If the rental agreement is three months or longer, tenants can ask for a payment plan of three equal monthly payments. If the rental agreement is less than three months, tenants can ask for a payment plan of two equal monthly payments. Any fees or deposits to hold a unit cannot be more than 25% of the first month's rent.