

EVICITION PROCESS GUIDE

 Print

This guide focuses specifically on evictions and all resources mentioned refer to Washington State law. If you are interested in learning more about Washington landlord/tenant law in general, see our [Landlord Tenant Guide](#). Visit either of the following web sites for definitions of the terms used here:

- Law.com's [Legal Dictionary](#)
- The Washington State Court's [Glossary of Terms](#)

What is an Eviction?

Eviction is the process the landlord uses to remove a tenant from physical possession of the rented property. The legal action brought to obtain an eviction is called an unlawful detainer.

What Laws Govern Eviction?

Title 59 of the [Revised Code of Washington](#) (RCW) deals with specific aspects of the Landlord Tenant relationship. For most situations see chapter 59.12 "Forcible Entry and Forcible and Unlawful Detainer" and chapter 59.18 "Residential Landlord-Tenant Act". Title 59 also contains chapters dealing with [Manufactured/Mobile Home Landlord-Tenant Act](#), [Rental Security Deposit Guarantee Program](#) and [Federally Assisted Housing](#).

The [Seattle Municipal Code](#) (SMC) must be consulted if the property is in Seattle. SMC 22.206.160 covers Duties of Owners. See also SMC 7.24 et seq. and SMC 22.206 et seq. Federal statutes that may apply include the Fair Housing Act, 42 U.S.C. §§3601 et seq; United States Bankruptcy Code; American with Disabilities Act, 42 U.S.C. §12101; Federal Rehabilitation Act of 1973, 29 U.S.C. §701; and the Fair Debt Collection Practices Act, 15 U.S.C. §§1692-1692o.

The Seattle Department of Planning and Development has created [Tips](#) (formerly known as Client Assistance Memos) regarding code compliance and rental housing regulations - look in the 600s section. These must be consulted in addition to the RCW and the SMC.

Below is a listing of sections of the RCW that you may want to examine before proceeding with your action. These links all point to the online version of the RCW provided by the State Legislature. Use the navigation links at the top of the RCW section page to move between sections or to jump to a page that displays links for all of RCW 59.18.

- Landlord's Duties: RCW 59.18.060 and 59.18.063
- Landlord's Remedies: RCW 59.18.160 – 59.18.190, 59.18.310
- Landlord's Right of Entry: RCW 59.18.150

How to Proceed

The [Washington Lawyers Practice Manual](#), vol. 5, chapter 14, §14.4 et seq. and §14.5 et seq. contains a step-by-step outline of the eviction process. Sample forms can be found at the end of the chapter. This outline is also contained in a Washington State Bar Association continuing legal education publication titled [Residential Landlord Tenant Law](#), pp. 2-14 – 2-35. We sell a packet of forms and instructions for residential evictions in King County called [Washington Eviction Kit: King County Forms and Instructions](#). The cost is \$35 (no returns, no refunds). The eviction kit is available for purchase in person at both of our library locations.

The state statutes set forth the process for proceeding with an unlawful detainer action. The statutes also include the language to be used in the court documents. See:

- Forcible Entry and Forcible and Unlawful Detainer: RCW 59.12
- Unlawful Detainer Action: RCW 59.18.365 – 59.18.410

The Northwest Justice Project has written a publication titled [Eviction and Your Defense](#). Although written with the tenant in mind, it provides an explanation of the process and includes sample forms.

Helpful Web Sites

Washington State Bar Association's [Landlord Tenant Rights](#) pamphlet -- This pamphlet discusses a variety of landlord/tenant issues including eviction.

Nolo Press' [How Evictions Work](#) -- This portion of the Nolo Press web site discusses the eviction process. It is not specific to Washington State.

Helpful Books

Real Estate: Property Law, 2d ed., §6.70 et seq., by William B. Stoebuck. ([Washington Practice](#), vol. 17). West, 2004. Shelved at KFW 80 .W3.

[Washington Lawyers Practice Manual](#), vol. 5, chapter 14, §14.4 et seq. and §14.5 et seq. King County Bar Association. Shelved at KF 300 .W27 REF



Topic: [Eviction](#) [Landlord Tenant](#)

Jurisdiction: [Washington](#)

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