



Tenants' Rights: The place I'm living in has been condemned

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- ❖ If your landlord is threatening to evict you, use our [Eviction Defense Helper](#) OR apply for help online at nwjustice.org/apply-online.
 - ❖ Eviction law continues to change. Read about the latest changes to the law at WashingtonLawHelp.org/resource/eviction
 - ❖ You can find all the fact sheets we link to here at WashingtonLawHelp.org.
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Should I read this?

Yes, if your landlord has gotten notice that the place you are renting to live in will be condemned. This means it is unlawful to live in (occupy). If a fire or code enforcement official or other government agency orders you to move out because of code violations, you may be able to get help moving. [RCW 59.18.085](#).

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- ❖ This applies to you if you are renting a house, apartment, long-term hotel room, or mobile home.
 - ❖ It applies even if you have no written rental agreement.
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It sounds like the landlord will get the notice from the government agency. How will I find out my place has been condemned?

The landlord should give you a **30-Day Notice to Vacate**. If 30 days' notice is not possible, due to the conditions of the place, the landlord must give you as much advance notice as possible.

I got a 30-Day Notice to Vacate because my rental was condemned. Can I get financial help to move?

Maybe, if the city, county, or other agency:

- Issues your landlord a notice of condemnation.
- Notifies your landlord that you cannot keep living there because of code violations.

The landlord must pay you relocation assistance if both these are true:

- The agency **issues a condemnation notice or declares it unlawful for anyone live in** your home due to housing, building, and/or fire code violations.
- **The landlord knew or should have known** about the conditions.

How much help can I get?

You can get whichever of these is more:

- Three times your monthly rent.
- \$2,000.

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- ❖ The landlord must return your entire security deposit and any prepaid rent.
 - ❖ The landlord must pay for any losses or expenses (damages) you have from the condemnation, eviction, or displacement, if they are more than the relocation assistance amount.
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When will the landlord pay me?

The landlord must pay the relocation money, security deposit, and any damages within **7 days** after the agency sends the landlord the condemnation, eviction, or displacement notice.

How will the landlord pay me?

The landlord must pay by certified check. The payment must go either to you **or** to the agency that ordered the condemnation, eviction, or displacement.

The landlord did not pay me within 7 days. Now what?

The city or county agency may advance you the cost of the relocation assistance. If they will not, send the landlord a letter yourself asking for what the landlord owes you. (See sample letter below.) Send your letter by certified mail, return receipt requested and regular mail. Keep a copy of it for yourself.

If the landlord does not pay or respond, you must file in small claims court. Go to the county courthouse. Ask for the small claims department. (See the attached sample language.) Read [What is Small Claims Court?](#) to learn more. Our [How do I Sue in Small Claims Court?](#) packet has forms you can use and instructions for how to use them.

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- ❖ Relocation assistance under [RCW 59.18.085](#) does not count as income when you apply to get public assistance or in imposing taxes under state law.
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What if the landlord is harassing me?

Once the government agency notifies your landlord about code violations, and until your landlord either fixes them or gives you relocation assistance, the landlord **may not**:

- Evict, harass, or intimidate you into moving out so that the landlord does not have to pay you relocation assistance.
- Reduce your services.
- Increase or change your tenant obligations, including raising rent.



Get Legal Help

- **Facing Eviction?** Call 1-855-657-8387
- **Facing Foreclosure?** Call 1-800-606-4819
- **Facing a legal issue in King County (other than Eviction or Foreclosure)?** Call **2-1-1** (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County (other than Eviction or Foreclosure)?** Call the [CLEAR Hotline](#) at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm.
- **Seniors (age 60 and over) with a legal issue outside of King County** can also call CLEAR*Sr at 1-888-387-7111
- **Deaf, hard of hearing or speech impaired** callers can call any of these numbers using the relay service of your choice.

CLEAR and 2-1-1 will provide interpreters.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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Sample Letter:

Mr. Joe Landlord
123 Mold Street
Dollar, WA 98999

Certified Mail # _____

Dear Mr. Landlord,

I was a tenant in your building at 115 N. Main Street, Dollar, Washington. I had to move on short notice when the City of Dollar condemned the building.

I understand that the City of Dollar notified you about the building's code violations . Under the Residential Landlord-Tenant Act, you must pay me \$ [insert either three times monthly rent or \$2,000, whichever is more] to help me move. You must also return my \$ [amount] security deposit, [amount] prepaid rent for the month I had to move, and my last month's rent of \$ [amount].

Please mail the entire amount of \$ _____ to me at my new address: 456 Sunshine Way, Dollar, WA 98999. If I do not receive your check by [date], I may file a lawsuit to recover my relocation assistance payment, security deposit, prepaid rent, and any actual damages that exceed the relocation assistance payment. If I win, you may also have to pay the costs of this lawsuit and my attorney fees.

Sincerely,

Sample Court Statement if you file a small claims court action:

Your Honor, on January 7, 2012, I rented an apartment from defendant, Joe Landlord. I paid a \$600 security deposit and \$650 for last month's rent. Here are copies of my rental agreement and deposit and rent receipts. On April 6, 2012, the City of Dollar posted the attached notice on my door stating the place is unsafe because of code violations and that I have to move. I moved out on April 13. On April 16, 2012, I sent my landlord the attached letter asking for relocation assistance. I waited one week. When the landlord did not respond, I filed this lawsuit. Here is a copy of the sheriff's affidavit showing he served my landlord with my claim more than five days before trial. Under RCW 59.18.085, I believe I am entitled to relocation assistance of \$2,000.00 and return of my security deposit, sixteen days of prepaid rent for April, and last month's rent. I also ask for reimbursement of my filing fee and the service fee the sheriff charged me. I would be glad to answer any questions you have.