



## My Landlord Locked Me Out

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- ❖ Read this only if you live in the state of Washington.
  - ❖ You can find all the fact sheets we link to here at [WashingtonLawHelp.org](http://WashingtonLawHelp.org).
  - ❖ **Eviction laws and the ways courts are handling the COVID-19 crisis** may change quickly and be different depending on where you live. Get the latest information and learn about help for evictions in your area at [WashingtonLawHelp.org](http://WashingtonLawHelp.org).
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### Should I read this?

Read this if you rent the apartment or house where you live, your landlord changed the locks so you cannot get into your place, and you had no plans to move. **You should also get legal advice right away.** See contact information below.

### What will I learn?

- ✓ If and when your landlord can ever lock you out of your rental
- ✓ What you can do if the landlord locks you out
- ✓ Where to get help

### Can my landlord legally lock me out?

Only if it looks like you have stopped paying the rent and moved out without telling the landlord (called “**abandoning**” the rental), **or** a sheriff has executed a court order (called a **Writ of Restitution**) to evict you.

The landlord **cannot** change locks, add locks, or keep you from entering the place in any other way. It does not matter if you are behind in rent, utilities, or other fees.

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- ❖ Call the clerk of your local Superior Court. Make sure the landlord did not file an eviction lawsuit against you. If the landlord did, and you believe the landlord did not serve you with the lawsuit papers, get legal help right away.
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If the landlord locks you out, you can take the landlord to court. If you show the lockout was illegal, the court should order the landlord to pay you. [How do I Sue in Small Claims Court?](#) may help, depending on how much your claim is.

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- ❖ You **cannot** file a Small Claims case to get a court order allowing you back into the place. See a lawyer.
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### **Can my landlord shut off my utilities?**

Only to make repairs. The landlord **cannot** shut off the utilities because you are behind in rent or to make you move.

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- ❖ If the utilities are in the landlord's name, it is illegal for the landlord to stop paying the bills in order to get the service cut off. Read [My Landlord Shut Off My Utilities!](#)
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If the landlord shuts off your utilities, you can take the landlord to court. The judge can award you up to \$100 for each day the utilities were off.

### **The landlord filed an eviction lawsuit and got a Writ of Restitution against me. I cannot get all my things out before the deadline in the Writ.**

The landlord **under the sheriff's supervision** may move your stuff out if you are not there. No more than three days after you get the Writ of Restitution, you can ask the landlord in writing to store your things. Then your landlord must store it all. The landlord may also have to store your stuff if the landlord knows you have a disability that keeps you from asking the landlord to store your things.

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- ❖ You generally must pay moving and storage costs to get your property back.
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**If you object to storage**, your landlord **cannot** store your stuff. The landlord will usually put it on the sidewalk or parking strip.

### **While I was out, my landlord took my things. He will not give them back. What can I do?**

Write the landlord. Put in your letter (if true) that you have not abandoned the place and (if true) that you plan to keep living there. Keep a copy of the letter for your records. You can use the sample letter at the end.

Make sure you can prove the landlord got this letter. Bring a witness who is not a household member, or send it certified mail return receipt requested and regular mail.

If you do not get your things back after sending the letter, call the police. If you send a written demand for your things, the landlord must return them.

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- ❖ The landlord can refuse to return your things until you pay what it cost to move and store them **only** if the landlord legally removed your things in the first place.
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You can go to court to force the landlord to give you back your things. If you win, the judge can award you up to \$5,000.

### **Can the landlord sell my things?**

**Only** if you abandoned your place and left your things behind **or** the landlord evicted you after a Writ of Restitution and you did not ask the landlord in writing to store your things. If you objected to the landlord storing your things, the landlord must place your things on the nearest public property.

**If your stuff is worth more than \$250**, the landlord must send written notice to your last known address 30 days before the sale. **If it is worth less than \$250**, the landlord must send written notice seven days before the sale.

A landlord who earns more from the sale than you owe must hold the difference for you for one year from the date of sale. You can claim the money during that time.

The landlord **cannot** demand you pay rent owed in exchange for getting back your stuff. But a landlord who sells your things **can** apply any money from the sale to rent or other costs you owe.

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- ❖ If your stuff is worth two hundred fifty dollars or less, the landlord may sell or get rid of everything **but personal papers, family pictures, and keepsakes.**
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## Get Legal Help

- Outside King County, call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm.
- In King County call 211 weekdays between 8:00 am - 6:00 pm. 211 will identify and refer you to the appropriate legal aid provider.
- Seniors (age 60 and over) can also call CLEAR\*Sr at 1-888-387-7111 (statewide).
- You can also apply online with CLEAR\*Online: [nwjustice.org/get-legal-help](http://nwjustice.org/get-legal-help).

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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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\_\_\_\_\_ [date]

\_\_\_\_\_ [name of landlord]

\_\_\_\_\_ [landlord street address]

\_\_\_\_\_ [landlord town/city, state, zip code]

Dear \_\_\_\_\_ [landlord name]:

I am writing about the apartment/house I rent from you at \_\_\_\_\_ [your address].

On or about \_\_\_\_\_ [date you were locked out], you and your agents excluded me from the rental by:

- locking me out and/or
- calling the Sheriff to have me removed and/or
- other:

\_\_\_\_\_

You have no court order or Writ of Restitution permitting these actions.

The Residential Landlord-Tenant act, Ch. 59.18 RCW, and the unlawful detainer statute, Ch. 59.12 RCW make self-help evictions illegal. Your conduct violates the law.

Please note:

- I have not abandoned the place.
- I have no intention of abandoning the place.

I have been denied access to my residence since \_\_\_\_\_ [date]. I am worried that you have allowed unauthorized people to enter the place and remove my things. I will consider you responsible for any loss or damage to my property that occurs before you return it.

Please consider this letter a demand upon you to restore immediate possession of the residence to me. Please call at once at \_\_\_\_\_ [your phone number] so we can work out how you will get the new key to me.

If you do not give me immediate access to the apartment/house, I will seek assistance from the County Sheriff and/or the Superior Court to get back possession of the apartment/house.

Thank you for your cooperation.

Sincerely,

\_\_\_\_\_