

# My Landlord Locked Me Out

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## Should I read this?

Yes, if all these are true:

- You rent an apartment or house.
- Your landlord changed the locks so you cannot get into your place.
- You had no plans to move.

You should also get legal advice right away. If you are low-income, see contact info at the end.

## Can my landlord legally lock me out?

Only if one of these is true:

- It looks like you have abandoned the unit. See below.
- A sheriff has executed a Writ of Restitution to evict you. See below.

The landlord **cannot**:

- change locks
- add new locks
- keep you from entering the unit in any other way

This is true even if you are behind in rent, utilities, or other fees. [RCW 59.18.290](#).

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- ❖ Call the clerk of your local Superior Court. Make sure the landlord did not file an eviction against you. If the landlord did, and you believe the landlord did not serve you, 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 damages plus court costs. [How to I](#)

[Sue in Small Claims Court?](#) has info that 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. You must file something different. See a lawyer.
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## Can my landlord shut off my utilities?

Only to make repairs. The landlord cannot shut off your utilities because you are behind in rent or to make you move. [RCW 59.18.300](#).

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- ❖ If your 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.
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You can take your landlord to court if the landlord shuts off your utilities. If you win, the judge can award you up to \$100 for each day the utilities were off.

## Can the landlord take my things and keep them to get me to pay rent?

**No.** The landlord can only take your property if you “abandon” the unit or the sheriff has executed a Writ of Restitution. There are rules about whether a landlord must store your belongings or dispose of or sell them.

## What does it mean to “abandon” the place?

It means both these are true:

- You stopped paying the rent.
- You acted like you have moved out.  
**Examples:** You moved all your things out. You stopped sleeping there.

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- ❖ It is illegal for the landlord to put in the lease that the landlord can take your property.
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### **The landlord got a Writ of Restitution against me. What if I cannot get my stuff out of the apartment before my deadline?**

The landlord **under the sheriff's supervision** may move your stuff out if you are not there. You can deliver a written request to the landlord for storage of your stuff no more than three days after you get the writ of restitution. Then your landlord must store your things. 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. If they do not store it, your landlord and the sheriff do not have to protect your stuff from theft, weather, or other damage.

[RCW 59.18.310](#); [RCW 59.18.312](#).

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

Write the landlord. If true, put in your letter that you

- Have not abandoned the place.
- Do not intend to abandon the place.

Keep a copy of the letter for your own records.

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- ❖ See sample letter at the end.
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Make sure you can prove the delivery of your letter. **Examples:**

- Take along a witness who is not a household member.
- Send the letter by 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 condition returning your things on you paying reasonable moving and storage costs **only** if the landlord legally removed your things in the first place.
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You can also go to court to force the landlord to give you back your things. The judge can award you up to \$500 for each day the landlord kept your things, up to \$5,000.

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

**Only if:**

- You abandoned your place. You left your things behind.
- The landlord evicted you after a Writ of Restitution and you did not give your landlord a written request to store your things. If you objected to the landlord storing your belongings, 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. [RCW 59.18.312\(3\)](#). **If it is worth less than \$250**, the landlord must send written notice seven days before the sale. [RCW 59.18.312\(3\)](#).

The landlord cannot condition the return of your things on the payment of rent or anything else you may owe, except costs of storage and moving of your things to storage. A landlord who earns more from the sale than you owe must hold that money for you for one year from the date of sale. You can claim the money during that time.

A landlord who sells your things may 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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### What if I need legal help?

- **Apply online with [CLEAR\\*Online](https://nwjustice.org/get-legal-help)** - <https://nwjustice.org/get-legal-help> or
- **Call CLEAR at 1-888-201-1014**

CLEAR is Washington's toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

- **Outside King County**: Call 1-888-201-1014 weekdays, 9:15 a.m. - 12:15 p.m.

- **King County**: Call 211 for info and referral to an appropriate legal services provider, weekdays 8:00 am – 6:00 pm. You may also call (206) 461-3200, or toll-free 1-877-211-WASH (9274). You can also get info on legal service providers in King County through 211's website, [www.resourcehouse.com/win211/](http://www.resourcehouse.com/win211/).
- **Persons 60 and Over**: Seniors age 60 or over may call CLEAR\*Sr at 1-888-387-7111, regardless of income. Assets limits may apply. Seniors in King County may call 2-1-1.

Deaf, hard of hearing or speech impaired callers can call CLEAR or 211 using the relay service of your choice.

CLEAR and 211 will conference in free interpreters when needed.

Free legal education publications, videos, and self-help packets covering many legal issues are available at [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org).

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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,

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