

When you have permission to live in a place but do not pay money for rent

What will I learn by reading this?

You'll learn about Washington's laws affecting people who don't pay rent money on a regular schedule but are given permission to stay for a period of time **or** who get housing in exchange for doing work (but don't pay rent). We call people in this situation **tenants at will**.

Being a **tenant at will** sounds like being a **tenant**, but each is affected by different laws. You'll learn the differences between the two. You'll also learn about your rights if you're asked to leave housing where you're a tenant at will.

Am I a tenant under Washington's laws?

It depends. If you regularly pay rent (money) for housing, you're considered a tenant and you have certain rights and duties under Washington's Residential Landlord Tenant Act (RLTA). Among these responsibilities, tenants have a written or verbal rental agreement and regularly pay rent. You can read the state law at [RCW 59.18](#).

What is a tenant at will?

If you're a tenant at will, you don't make regular rent (money) payments on a schedule (like every month). You're given permission to stay in a place for an undefined period of time may be asked to do something in exchange to stay.

For example, you're a tenant at will if you're allowed to stay in a friend's or relative's house without paying rent and without a rental agreement. Here are some other common examples of tenants at will:

- You're a live-in caregiver for a relative. You don't pay rent.
- You're asked to fix up a house by the owner. You have permission to live there until the remodeling work is done.
- You live with a friend and help with housework, groceries, and other bills. You don't have a rental agreement and you don't pay rent on a regular schedule.

- You're invited to stay with a friend for a few weeks while you look for a place to stay long-term.

Am I a tenant under the RLTA if I get housing as part of my job?

Maybe not. Most people who are given housing as part of a job aren't considered tenants and don't have the same protections under the RLTA.

You might get to live in a rental unit without paying rent because you were hired to do a specific job on the property, like property manager, maintenance person, seasonal farmworker. This arrangement is specifically not covered under the RLTA. You can read this law at [RCW 59.18.040\(9\)](#).

Often, the conditions for living in the rental unit will be listed in an employment agreement or policy. Sometimes, the conditions are just verbal and told to you when you're hired.

You're likely considered a tenant at will. This means the person or business giving you housing isn't considered a landlord and doesn't have to use certain termination notices and the specific eviction court process (called Unlawful Detainer) if they want you to leave. In most cases they must only give you **reasonable notice** and time to pack up and leave. The notice may be written but is sometimes verbal.

However, there are some cases where someone who works in exchange for housing are covered by the RLTA. For example, you may be expected to work a certain number of hours every week at a certain rate that is considered "rent." Or you may have a certain amount of money withheld from each paycheck as rent. In these situations, you may be considered a tenant and have protections under the RLTA.

If you have questions about your employment and living situation and don't know if you're covered by the RLTA, try to talk to a lawyer.

How much notice is reasonable when a property owner asks a tenant at will to leave?

Courts will look at various factors to determine how much time is reasonable. These factors can include how long you've been living there, if and what kind of work you were doing, and what kind of housing you're living in. A roommate briefly staying in a small apartment may get less notice than a person living on a large farm for years.

- **Example 1:** You've been your parent's caregiver for several years. You also help take care of the house and large yard. After your parent dies, your siblings want

to sell the house and want you to leave. Because you've been there for so long, reasonable notice may be a month or longer.

- **Example 2:** You've been staying in your RV trailer in a friend's driveway for 2 weeks. Your friend asks you to leave. Reasonable notice may be a week or less.

If someone's been living in a place for a long time, the property owner may sue to get a court order to make a person leave. This court process is called **ejectment**. It often takes a little longer than the eviction process. You should receive court papers called a Complaint and Summons with a deadline to respond in writing (or risk automatically losing).

I'm not sure if I'm a tenant or tenant at will. The owner asked me to leave. What should I do?

Try to talk to a lawyer about your rights. Sometimes it's hard to tell if a person is considered a tenant at will and which laws apply. Once you understand whether you are a tenant or a tenant at will, you may be able to negotiate with the owner so you can have more time to leave.

Get Legal Help

- **Apply online:** nwjustice.org/apply-online
- **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 211 (or toll-free 1-877-211-9274) weekdays 8:00 am to 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 and 12:15 pm or apply online at nwjustice.org/apply-online.
- **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.

Interpreters provided.

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