

# Bellingham Tenants Have More Rights under New City Laws

If you are a tenant (you rent your dwelling unit) in the City of Bellingham, Washington, new Bellingham laws give you the right to more notice before certain changes in your tenancy. You may have the right to notice 60 days in advance before:

- Your landlord decides to raise the rent by ten percent (10%) or more. [Bellingham Municipal Code \(BMC\) 6.12.](#)
- You have a monthly or other periodic tenancy and the landlord wants to end your tenancy without giving you a notice for cause. [Bellingham Municipal Code \(BMC\) 6.13.](#)

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❖ These laws do **not** apply if you live outside city limits.

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## Do the new ordinances apply to all landlords in the City of Bellingham?

No. They do not apply to a landlord renting part of their own primary residence to you.

## NOTICE FOR LARGE RENT INCREASE

### How much notice do I get if the landlord decides to raise the rent?

A landlord who decides to raise the rent **by ten percent (10%) or more** must give you sixty days' written notice of the increase.

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❖ Your rental agreement or lease should mention this right to sixty days' notice for a rent increase. Even if it does not, it is still the law.

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### What if happens the landlord does not give me sixty days' notice?

A rent increase that DOES NOT comply with this ordinance is unenforceable. The landlord may not issue a three-day notice to pay or vacate, charge a late fee, or bring an eviction action (unlawful detainer) if you do not pay the increased amount.

We DO NOT recommend you ignore a rent increase notice that does not comply with the ordinance. The landlord could still file an unlawful detainer against you. Even if

you win in court, the lawsuit stays on your permanent record. This can make it hard to find a new rental in the future.

If you get a rent increase notice and are not sure it is valid, **talk to a lawyer immediately.**

**I am looking for a place to rent. I talked to a landlord who wants to rent to me. The landlord's lease wants me to give up my right to the 60-day notice. Can I sign away my right to this notice?**

No.

## **NOTICE TO TERMINATE TENANCY WITHOUT CAUSE**

**I have a month-to-month rental agreement. How much notice does the landlord have to give me if the landlord wants me to move?**

Your landlord must give you a 60-day notice to vacate to end your tenancy for no cause and to be able to evict you through a court proceeding ("unlawful detainer" or eviction lawsuit). [BMC 6.13](#). This does not apply if one of these is true:

- You have a lease for a specific term, like a one-year lease unless it automatically extends beyond that term.
- Your landlord wants to evict you for a specific reason (cause), like violation of your rental agreement. See the next section.

**Can the landlord ever give less than 60 days' notice?**

**Yes. A landlord may give you less than a 60-day notice for "cause."** A landlord can still issue other notices to end a tenancy for cause, for **example**:

- 14-day notice to pay rent or vacate
- 3-day notice to vacate for waste or nuisance
- 10-day notice to comply with a rental agreement or vacate

**I got a 60-day notice. Do I still have to pay the rent and follow the rules?**

**Yes.** Otherwise, you risk the landlord issuing a for-cause notice. Then you might have to move before the 60 days is up. It may also result in an eviction filing on your permanent record.

**What if the landlord gives me less than 60 days' notice when she should have given me 60 days, and then files an unlawful detainer?**

Contact a lawyer immediately. You have a legal defense to the unlawful detainer. A court may order the landlord to pay you up to \$5,000 plus costs and fees.

**Do I have to give the landlord sixty days' notice if I want to move?**

No. If you have a month-to-month rental agreement, you only need to give twenty days' notice.

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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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