

6.3.2020 UPDATE: WASHINGTON STATE RENT CHANGES

INTRODUCTION

On February 29, 2020, Governor Inslee proclaimed a state of emergency in the State of Washington in response to the emerging COVID-19 pandemic. On March 18, 2020, Governor Inslee issued Proclamation 20-19, an eviction moratorium that prohibited residential evictions until April 17, 2020. On April 16, 2020, Governor Inslee extended the eviction moratorium until June 4, 2020 and expanded its scope. Governor Inslee extended a modified version of the eviction moratorium until August 1, 2020 with Proclamation 20-19.2, addressing several concerns raised with the prior versions.

SUMMARY OF AMENDATORY PROCLAMATION 20-19.2

(i) Residential Eviction Moratorium Extension

Washington's residential eviction moratorium is extended until August 1, 2020, with certain modifications

(ii) Prohibition on Residential Evictions

- Landlords are prohibited from servicing, enforcing, or threatening to serve or enforce, any notice requiring a residential tenant to vacate, regardless of whether the lease has expired or will expire during the eviction moratorium
- Landlords are prohibited from seeking, enforcing, or threatening to seek or enforce, judicial eviction orders or agreements to vacate residential tenants
- Local law enforcement is prohibited from serving, threatening to serve, or otherwise acting on eviction orders relating to residential tenants

*These prohibitions do not apply if the landlord attaches an affidavit, or a court makes a finding, that either (1) the eviction is necessary because the tenant poses a significant and immediate risk to the health or safety of others (excluding issues related to COVID-19 exposure), or (2) the landlord provides at least 60 days' written notice to the tenant that it is the landlord's intent to either sell the property or personally move into the property as a primary residence

**These prohibitions apply if a tenant has stayed in temporary housing, such as hotels, Airbnbs, RVs, etc., for at least 14 days.

(iii) Prohibition on Costs

- Landlords are prohibited from assessing, or threatening to assess, late fees for non-payment or late payment of rent or other charges against residential tenants that first occurred on or after February 29, 2020

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- Landlords are prohibited from assessing, or threatening to assess, rent or other charges against a residential tenant during any period in which the tenant could not access or occupy the dwelling as a result of COVID-19
- Landlords are prohibited from increasing, or threatening to increase, rent or the amount of any deposit of any residential tenant, or any commercial tenant materially impacted by COVID-19
 - This prohibition does not apply to prearranged contractual rent increases with commercial tenants entered into prior to February 29, 2020
- Landlords are prohibited from retaliating against tenants invoking their rights under the eviction moratorium or any other state or federal law providing rights or protections for residential tenants
- Landlords are prohibited from treating any unpaid rent or other charges from a residential tenant as an enforceable debt or obligation if the nonpayment was the result of COVID-19
 - This includes attempts to collect, threats to collect, use of collection agency, filing of unlawful detainer, withholding security deposit, reporting to credit bureaus, and more
 - However, this prohibition does not apply to landlords that provide evidence that the tenant refused or failed to comply with a reasonable re-payment plan
 - Failure by the landlord to offer a reasonable re-payment plan will provide the tenant a defense to any lawsuit or other attempts to collect

Please do not hesitate to contact us with any questions or concerns you may have.

Best regards,



ZAC DELAP | Attorney

zac.delap@hcmp.com
206.470.7628

[Click here to learn more about Zac.](#)



MICHELLE GAIL | Attorney

michelle.gail@hcmp.com
206.470.7660

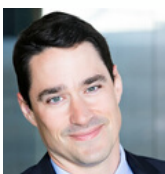
[Click here to learn more about Michelle.](#)



KURT KRUCKEBERG | Attorney

kurt.kruckeberg@hcmp.com
206.470.7640

[Click here to learn more about Kurt.](#)



BRIAN FREE | Attorney

brian.free@hcmp.com
206.470.7646

[Click here to learn more about Brian.](#)

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