

INSTRUCTIONS FOR SERVING AN EVICTION NOTICE IN WASHINGTON

 These instructions are intended for the state of Washington. Even in Washington these instructions are general information and not a substitute for legal advice.

Service of notices is strictly construed against the landlord. Even if you can prove the tenant actually received the notice, failure to strictly adhere to the service methods will result in dismissal of the eviction action. There are three acceptable means to serve a notice on a tenant.

1. Delivering a copy personally to each adult occupant.
2. Substitute service on some person of suitable age and discretion **AND** mailing a copy to each adult occupant.
3. If neither the tenant nor a person of suitable age and discretion is present then affixing a copy of the notice in a conspicuous place on the premises **AND** mailing a copy to each adult occupant.



Always knock first. A good tenant attorney might cross-examine the landlord witness as to whether the notice was posted without inquiring if anyone was present. If so, the case will be dismissed.

Mailing. When mailing is required regular first class is fine unless the lease requires certified. Mailing alone is **never** sufficient, **even if** the tenant actually receives the document. Mailing does **not** mean the landlord placing the notice in the tenant's mailbox. Mailing means utilizing the US Postal Service. When mailing is required, one day is added by rule before the landlord can take further action. Mail from the same county where the property is located.

More than one occupant. If there is more than one person living in the property it is important to serve enough copies for each person. If someone answers the door, hand that person enough copies of the notice for everyone and mail copies to each occupant. Likewise if posting a copy, mail copies to each occupant. This does **not** mean each tenant separately named on individual notices. It means exact copies of one notice, each of which lists the names of all tenants. Do not name unauthorized occupants, but DO serve enough copies to account for them.

Posting. Notices must be posted in a conspicuous manner. Anyone should be able to walk up and read it. Therefore, do **NOT** leave it in an envelope, slide it under the door or through the mail slot, etc.

Please Note – While you may not contract for shorter notice periods than required by statute, you may agree to longer periods. Check your lease. If it states the tenant is to receive a longer notice period than is called for in the statute and in our standard forms, you must edit the forms appropriately.

CALCULATION OF TIME

For a notice to terminate tenancy (“20-day notice) note that you must serve the notice at least twenty days before the end of the rental period, **not** merely add twenty days to the current date. The tenant must be month-to-month. In Seattle, even if the tenant is month-to-month you must have just cause.