

Comply or Vacate Notices

Use of an attorney is preferred and advised, but if you use this form do not serve this page of instructions on your tenant. These instructions are for you.

Landlords may not evict for non-payment of late fees or other non-rent charges. Do not include late fees or other non-rent charges on any type of notice.

Tenants may be evicted for failing to comply with non-monetary provisions of the rental agreement. Non-monetary breaches of the lease should be demanded on the Notice to Comply or Vacate. Do not demand any financial obligations on the Notice to Comply or Vacate.

Instructions for Serving Unlawful Detainer Pre-Litigation Notices

Service of pre-litigation notices is strictly construed against the landlord. Even if the landlord can prove the tenant received the notice, failure to strictly adhere to the service methods may result in dismissal of the eviction action. These instructions do not apply to the summons and complaint or other pleadings.

There are three legally acceptable means to serve an unlawful detainer notice on a tenant.

- 1) Delivering a copy personally to *each* adult tenant.
- 2) Service at the rental property on a person of suitable age and discretion *and* mailing a copy to *each* adult tenant.
- 3) If neither the tenant nor a person of suitable age and discretion is present (no one answers the door), then affixing copies of the notice in a conspicuous place on the premises *and* mailing a copy to *each* adult tenant.

Always knock or ring before posting and mailing. It is important to knock or ring the doorbell before posting notices and post only if no one opens the door.

Mailing. Mailing alone is not legally sufficient service. When mailing is required mail by certified mail from within the state of Washington state.

Posting. Posting plus mailing is permitted only if no one answers at the door. Posting alone is not sufficient service. When the notice is posted it *must* also be mailed. Post in a conspicuous manner.

Local laws. Local laws may impose additional requirements and/or require additional language in the notice.

NOTICE TO COMPLY OR VACATE

TO: _____

AND TO ALL PERSONS IN POSSESSION of property commonly known as _____, WA _____

You and each of you are notified that you are in substantial breach of a material program requirement of subsidized housing; substantial breach of a material term within the lease or rental agreement; or a substantial breach of a tenant obligation imposed by law.

You violated the rental agreement terms and/or applicable laws by the following actions:

Your actions violate these specific rental agreement terms and/or laws:

To cure this notice you must do the following:

You are instructed to either comply with the obligations of your tenancy and to conform your conduct to the requirements set forth above or vacate no later than _____, 20____ [a date at least 12 (twelve) days after service of this notice]. Otherwise, your tenancy will be terminated and the landlord will be entitled to all remedies, relief, and damages allowed by law including bringing an eviction action in court.

The landlord may choose to end the tenancy at the end of the rental term if there are four violations within a 12-month period preceding the end of the term. Correcting the fourth or subsequent violation is not a defense to the ending of the lease.

DATED _____, 20____

Signature of landlord or landlord's agent

Print Name: _____

[enter address for landlord or landlord's agent]