

## CHAPTER 26.

[S. B. 85.]

## DEFINING FORCIBLE ENTRY AND DETAINER.

AN ACT amending section 2 of an act entitled "An act amending sections 3, 5, 11 and 12 of an act entitled 'An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings,' approved March 7, 1891," approved March 6, 1905, and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 2 of an act entitled "An act amending sections 3, 5, 11 and 12 of an act entitled 'An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings,' approved March 7, 1891," approved March 6, 1905, be amended to read as follows: Section 2. Any notice provided for in this act shall be served either (1) by delivering a copy personally to the person entitled thereto; or (2) if he be absent from the premises unlawfully held, by leaving there a copy, with some person of suitable age and discretion, and sending a copy through the mail addressed to the person entitled thereto at his place of residence; or (3) if the person to be notified be a tenant, or an unlawful holder of premises, and his place of residence is not known, or if a person of suitable age and discretion there cannot be found then by affixing a copy of the notice in a conspicuous place on the premises unlawfully held, and also delivering a copy to a person there residing, if such a person can be found, and also sending a copy through the mail addressed to the tenant, or unlawful occupant, at the place where the premises unlawfully held are situated. Service upon a sub-tenant may be made in the same manner: *Provided*, That in cases where the tenant or unlawful occupant, shall be conducting a hotel, inn, lodging house, boarding house, or shall be renting rooms while still retaining control of the premises as a whole, that the guests, lodgers, boarders or persons rent-

[Amending  
§ 814,  
Item.-Bal.]

Unlawful  
detainer.

Manner of  
service.

Copy mailed.

ing such rooms shall not be considered as sub-tenants within the meaning of this act, but all such persons may be served by affixing a copy of the notice to be served in two conspicuous places upon the premises unlawfully held; and such persons shall not be necessary parties defendant in an action to recover possession of said premises. Service of any notice provided for in this act may be had upon a corporation by delivering a copy thereof to any officer, agent or person having charge of the business of such corporation, at the premises unlawfully held, and in case no such officer, agent or person can be found upon such premises, then service may be had by affixing a copy of such notice in a conspicuous place upon said premises and by sending a copy through the mail addressed to such corporation at the place where said premises are situated. Proof of any service under this section may be made by the affidavit of the person making the same in like manner and with like effect as the proof of service of summons in civil actions. When a copy of notice is sent through the mail, as provided in this section, service shall be deemed complete when such copy is deposited in the United States mail in the county in which the property is situated properly addressed with postage prepaid: *Provided, however,* That when service is made by mail one additional day shall be allowed before the commencement of an action based upon such notice.

Service on corporations.

Affidavit of service.

Additional day.

Emergency.

SEC. 2. An emergency exists, and this act shall take effect immediately.

Passed the Senate January 26, 1911.

Passed the House February 23, 1911.

Approved by the Governor February 28, 1911.