

CHAPTER 106.

[H. B. 542.]

UNLAWFUL DETAINER DEFINED.

AN ACT relating to unlawful detainer of real property; repealing section 3, chapter 96, Laws of 1891, and section 1, chapter 86, Laws of 1905, and amending section 59.12.030, RCW.

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

SECTION 1. Section 3, chapter 96, Laws of 1891 and section 1, chapter 86, Laws of 1905, amendatory thereof, are each repealed, and section 59.12.030, RCW, presently derived therefrom and henceforth derived from this act, is amended to read as follows:

Repealing and amendment clause.

A tenant of real property for a term less than life is guilty of unlawful detainer either:

Unlawful detainer defined.

(1) When he holds over or continues in possession, in person or by subtenant, of the property or any part thereof after the expiration of the term for which it is let to him. When real property is leased for a specified term or period by express or implied contract, whether written or oral, the tenancy shall be terminated without notice at the expiration of the specified term or period;

Expiration of specific term.

(2) When he, having leased property for an indefinite time with monthly or other periodic rent reserved, continues in possession thereof, in person or by subtenant, after the end of any such month or period, when the landlord, more than twenty days prior to the end of such month or period, has served notice (in manner in RCW 59.12.040 provided) requiring him to quit the premises at the expiration of such month or period;

Indefinite term; notice given.

(3) When he continues in possession in person or by subtenant after a default in the payment of rent, and after notice in writing requiring in the alternative the payment of the rent or the surrender of the detained premises, served (in manner in RCW 59.12.040 provided) in behalf of the person entitled

Default in rental payment.

to the rent upon the person owing it, has remained uncomplished with for the period of three days after service thereof. The notice may be served at any time after the rent becomes due;

Breach of covenant or condition.

(4) When he continues in possession in person or by subtenant after a neglect or failure to keep or perform any other condition or covenant of the lease or agreement under which the property is held, including any covenant not to assign or sublet, than one for the payment of rent, and after notice in writing requiring in the alternative the performance of such condition or covenant or the surrender of the property, served (in manner in RCW 59.12.040 provided) upon him, and if there is a subtenant in actual possession of the premises, also upon such subtenant, shall remain uncomplished with for ten days after service thereof. Within ten days after the service of such notice the tenant, or any subtenant in actual occupation of the premises, or any mortgagee of the term, or other person interested in its continuance, may perform such condition or covenant and thereby save the lease from such forfeiture;

Waste, unlawful business or nuisance on premises.

(5) When he commits or permits waste upon the demised premises, or when he sets up or carries on thereon any unlawful business, or when he erects, suffers, permits, or maintains on or about the premises any nuisance, and remains in possession after the service (in manner in RCW 59.12.040 provided) upon him of three days' notice to quit; or

Entry without permission.

(6) A person who, without the permission of the owner and without having color of title thereto, enters upon land of another and who fails or refuses to remove therefrom after three days' notice, in writing, is served upon him in the manner provided in RCW 59.12.040.

Passed the House March 1, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 17, 1953.