

## BUILDING DEPARTMENT OPERATING POLICY

### Landlord Tenant Act RCW Title 59

1. When a landlord fails to fulfill any substantial obligation that endangers or impairs the health or safety of a tenant, including the following:
  - a) Structural members that are of insufficient size or strength or carry imposed loads with safety
  - b) The exposure of occupants to the weather.
  - c) Plumbing and sanitation defects that directly expose the occupants to the risk of illness or injury.
  - d) Lack of water, including hot water.
  - e) Heating or ventilation systems that are not functional or are hazardous.
  - f) Defective, hazardous, or missing electrical wiring and/or electrical service.
  - g) Defective or inadequate exits that increase the risk of injury to occupants.
  - h) Conditions that increase the risk of fire.
2. The tenant must notify the landlord, in writing, specifying the conditions, acts, omissions, or violations and/or conditions outlined above.
3. After receipt of written notice the landlord has specified time periods in which to remedy such conditions and/or conditions as follows:
  - a) Where the defective condition deprives the tenant of hot or cold water, heat, electricity, or is imminently hazardous to life – not more than 24 hours.
  - b) Where the defective condition deprives the tenant use of a refrigerator, range, oven, or a major plumbing fixture supplied by the landlord – not more than 72 hours.
  - c) In all other cases – not more than ten days.
4. If the landlord has not responded in the specified time periods, the tenant may request that the local government provide for an inspection of the premises. (It would be assumed that the building official or his designee would be the appropriate government official.)
5. The building official, or his designee, shall conduct the inspection no later than five (5) calendar days from the receipt of a written request from the tenant. The tenant shall provide proof to the building official that the landlord was notified in writing. The tenant shall also provide the owner's telephone number.
6. The building official, or his designee, shall make every effort to give the landlord 24 hours notice of the date and time of the inspection, taking into consideration the imminence of any threat to the tenant's health or safety, to provide the opportunity for the landlord to be present during the inspection. The landlord does not have the authority to prevent the building official from entering the premises.
7. The purpose of the inspection shall be to verify if the specific conditions exist, as previously outlined, and substantially endanger the tenant's health and safety.
8. The inspection shall be specifically limited to the conditions outlined above as specified in RCW 59.18.115.
9. Upon certification that the condition and/or conditions exist, such certification shall be provided to the tenant. There is no obligation that such certification shall be provided to the landlord. This obligation is the tenant's responsibility.
10. The obligation of the building official is complete at this time with the possible exception of a follow-up inspection request by the tenant to verify completion. However, there is no authority in the RCW to enforce compliance by the landlord; therefore this would be a verification ONLY.
11. Copies of the Landlord/Tenant law will be kept on file for free distribution to the public. Additional copies may be obtained from the State Attorney General's Office at 1-800-551-4636.