

**Terry L. Brink** <u>tbrink@brinkatlaw.com</u> D: 253.620.6666 F: 253.620.6565 **Clinton Brink** <u>cbrink@brinkatlaw.com</u> D: 253.620.6577 F: 253.620.6565 Brink Law Firm 1201 Pacific Ave., Suite 2100 Tacoma, WA 98402 brinkatlaw.com

For a more comprehensive explanation of the service requirements, check out our <u>Comprehensive Guide to Evicting a Tenant in Washington State</u>. However, the abbreviated service instructions below should suffice in 90+% of cases. You must be careful to correctly serve your tenant, because if you do not, a tenant's attorney will likely be able to invalidate your notice and you will have to re-notice the tenant and start the eviction process over from scratch.

## How to Serve a Pre-lawsuit Unlawful Detainer Notice:

- 1. Personal service: Hand a copy of the notice to each resident.
- 2. Substituted personal service:
  - a. Hand a copy of the notice to a person of suitable age and discretion who resides in the tenant's unit AND
  - b. mail enough copies of the notice for each resident to the tenant's address.
- 3. Posting and mailing: If and only if you knocked on the tenant's door but nobody answers, the law permits service by posting and mailing as follows:
  - a. Conspicuously post the notice on the tenant's door AND
  - b. mail enough copies of the notice for each resident to the tenant's address.
- <u>Tip on Posting</u>: Notices should be taped to the door with the wording facing out. Take a picture of the notice once you've posted it in case your tenant claims you did not post it conspicuously.
- <u>Tip on Mailing</u>: Mail the notice by regular first-class mail with a certificate of mailing. Do not mail it via certified or registered mail, since the tenant can just refuse to sign for the letter and claim that notice is ineffective. Also, make sure to send enough copies of each notice for each adult resident in the unit. Each notice should list the names of all legal tenants, but does not need to list the names of all residents if they are not tenants.
- Info on the 3-Day Notice to Vacate Specifically: Only use this notice if your tenant has committed waste, nuisance, criminal acts, or unlawful business on the premises.

**Final Notes**: Do not serve this instructional page with the notice on the next page. This notice may not be sufficient in your jurisdiction. This notice does not constitute legal representation or legal advice.

То:\_\_\_\_\_

AND TO ALL OTHER PERSONS IN POSESSION of the premises located at:

You are hereby notified that you must vacate the premises within three days because you have committed one of the following on the premises:

- waste
- □ nuisance
- criminal activities
- □ unlawful business

The following is a more detailed explanation of the substantial violation you have committed:

You do not have an opportunity to cure your violation. Your only option is to vacate the premises. If you fail to vacate the premises within three days, we will commence an unlawful detainer lawsuit against you and ask the court to require you to pay all damages allowed by law, including attorney's fees, court costs, and all rent and other fees that are past due.

For reference, attorney's fees alone often total more than \$1,000.00 for a contested unlawful detainer proceeding. Additionally, if we win the lawsuit, an eviction will show up on your record, which may impair your ability to rent in the future, obtain loan approval, or work for certain employers.

If you have been issued prior eviction notices, this supersedes or replaces them.

DATED this day of \_\_\_\_\_\_, 20\_\_\_\_\_,

Signature of Landlord or Agent:\_\_\_\_\_

Print Landlord/Agent's Name:\_\_\_\_\_

Landlord/Agent's Address: