

---

**SENATE BILL 5250**

---

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator J. Wilson

1 AN ACT Relating to improving legal processes to deter squatters;  
2 amending RCW 9A.52.105 and 9A.52.115; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that squatting is a  
5 major public problem that interferes with property owners' rights,  
6 discourages investment in rental housing, erodes public confidence in  
7 the eviction process, creates opportunities for criminal activity,  
8 and ultimately contributes to Washington's homelessness and housing  
9 crises. Therefore, the legislature intends to strengthen Washington's  
10 antisquatting law by expanding it to cover former tenants who are no  
11 longer occupying premises pursuant to a valid rental agreement, and  
12 by authorizing law enforcement to remove squatters without delay.

13 **Sec. 2.** RCW 9A.52.105 and 2017 c 284 s 1 are each amended to  
14 read as follows:

15 (1) Subject to subsections (2) and (3) of this section and upon  
16 the receipt of a declaration signed under penalty of perjury, in the  
17 form prescribed in RCW 9A.52.115, declaring the truth of all of the  
18 required elements set forth in subsection (4) of this section, a  
19 peace officer shall have the authority to:

1 (a) Remove the person or persons from the premises without delay,  
2 with or without arresting the person or persons; and

3 (b) Order the person or persons to remain off the premises or be  
4 subject to arrest for criminal trespass.

5 (2) Only a peace officer having probable cause to believe that a  
6 person is guilty of criminal trespass under RCW 9A.52.070 for  
7 knowingly entering or remaining unlawfully in a building considered  
8 residential real property, as defined in RCW 61.24.005, has the  
9 authority and discretion to make an arrest or exclude anyone under  
10 penalty of criminal trespass.

11 (3) While a peace officer can take into account a declaration  
12 from the property owner signed under penalty of perjury containing  
13 all of the required elements and in the form prescribed in RCW  
14 9A.52.115, the peace officer must provide the occupant or occupants  
15 with a reasonable opportunity to secure and present any credible  
16 evidence provided by the person or persons on the premises, which the  
17 peace officer must consider, showing that the person or persons are  
18 tenants, legal occupants, or the guests or invitees of tenants or  
19 legal occupants.

20 (4) The declaration must include the following elements:

21 (a) That the declarant is the owner of the premises or the  
22 authorized agent of the owner of the premises;

23 (b) That an unauthorized person or persons have entered and are  
24 remaining unlawfully on the premises;

25 (c) That the person or persons were not authorized to enter or  
26 remain;

27 (d) That the person or persons are not a tenant or tenants (~~and~~  
28 ~~have not been a tenant or tenants, or a homeowner or homeowners who~~  
29 ~~have been on title, within the last twelve months on the property~~)  
30 occupying the premises pursuant to a valid rental agreement,  
31 including an agreement that provides for the tenancy to continue for  
32 an indefinite period, or on a month-to-month or periodic basis, after  
33 the agreement expires;

34 (e) That the person or persons are not a homeowner or homeowners  
35 who have been on title within the last 12 months on the property;

36 (f) That the declarant has demanded that the unauthorized person  
37 or persons vacate the premises but they have not done so;

38 (~~(f)~~) (g) That the premises were not abandoned at the time the  
39 unauthorized person or persons entered;



1 (3) [ ] The person or persons were not authorized to enter or  
2 remain;

3 (4) [ ] The person or persons are not a tenant or tenants ((and  
4 have not been a tenant or tenants, or a homeowner or homeowners who  
5 have been on title, within the last twelve months on the property))  
6 occupying the premises pursuant to a valid rental agreement,  
7 including an agreement that provides for the tenancy to continue for  
8 an indefinite period, or on a month-to-month or periodic basis, after  
9 the agreement expires;

10 (5) [ ] The person or persons are not a homeowner or homeowners  
11 who have been on title within the last 12 months on the property;

12 (6) [ ] The declarant has demanded that the unauthorized person  
13 or persons vacate the premises but they have not done so;

14 ((+6)) (7) [ ] The premises were not abandoned at the time the  
15 unauthorized person or persons entered;

16 ((+7)) (8) [ ] The premises were not open to members of the  
17 public at the time the unauthorized person or persons entered;

18 ((+8)) (9) [ ] The declarant understands that a person or  
19 persons removed from the premises pursuant to RCW 9A.52.105 may bring  
20 a cause of action under RCW 4.24.355 against the declarant for any  
21 false statements made in this declaration, and that as a result of  
22 such action the declarant may be held liable for actual damages,  
23 costs, and reasonable attorneys' fees;

24 ((+9)) (10) [ ] The declarant understands and acknowledges the  
25 prohibitions in RCW 59.18.230 and 59.18.290 against taking or  
26 detaining an occupant's personal property or removing or excluding  
27 ((an occupant)) a tenant from a dwelling unit or rental premises  
28 without an authorizing court order;

29 ((+10)) (11) [ ] The declarant agrees to indemnify and hold  
30 harmless law enforcement for its actions or omissions made in good  
31 faith pursuant to this declaration; and

32 ((+11)) (12) [ ] Additional Optional Explanatory Comments:  
33 .....  
34 .....

35 A declarant of premises who falsely swears on a declaration  
36 provided under this section may be guilty of false swearing under RCW  
37 9A.72.040 or of making a false or misleading statement to a public  
38 servant under RCW 9A.76.175, both of which are gross misdemeanors.

--- END ---