
SENATE BILL 5337

State of Washington

68th Legislature

2023 Regular Session

By Senators Cleveland and Braun

1 AN ACT Relating to exempting the sale and leaseback of property
2 by a seller from the residential landlord-tenant act when the seller
3 agrees to a written lease at closing; and amending RCW 59.18.040.

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

5 **Sec. 1.** RCW 59.18.040 and 1989 c 342 s 3 are each amended to
6 read as follows:

7 The following living arrangements are not intended to be governed
8 by the provisions of this chapter, unless established primarily to
9 avoid its application, in which event the provisions of this chapter
10 shall control:

11 (1) Residence at an institution, whether public or private, where
12 residence is merely incidental to detention or the provision of
13 medical, religious, educational, recreational, or similar
14 services((~~r~~)) including, but not limited to, correctional facilities,
15 licensed nursing homes, monasteries and convents, and hospitals;

16 (2) Occupancy under a bona fide earnest money agreement to
17 purchase or contract of sale of the dwelling unit or the property of
18 which it is a part, where the tenant is, or stands in the place of,
19 the purchaser;

1 (3) Occupancy by the seller of a dwelling unit, after closing of
2 the sale, when the buyer and seller entered into a written agreement
3 for the seller to remain in the dwelling unit after closing;

4 (4) Residence in a hotel, motel, or other transient lodging whose
5 operation is defined in RCW 19.48.010;

6 (~~(4)~~) (5) Rental agreements entered into pursuant to the
7 provisions of chapter 47.12 RCW where occupancy is by an owner-
8 condemnee and where such agreement does not violate the public policy
9 of this state of ensuring decent, safe, and sanitary housing and is
10 so certified by the consumer protection division of the attorney
11 general's office;

12 (~~(5)~~) (6) Rental agreements for the use of any single-family
13 residence (~~which~~) that are incidental to leases or rentals entered
14 into in connection with a lease of land to be used primarily for
15 agricultural purposes;

16 (~~(6)~~) (7) Rental agreements providing housing for seasonal
17 agricultural employees while provided in conjunction with such
18 employment;

19 (~~(7)~~) (8) Rental agreements with the state of Washington,
20 department of natural resources, on public lands governed by Title 79
21 RCW;

22 (~~(8)~~) (9) Occupancy by an employee of a landlord whose right to
23 occupy is conditioned upon employment in or about the premises.

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