

When you have permission to live in a place but don't pay money for rent

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Learn about Washington's laws affecting "tenants at will" who are people who don't pay rent money on a regular schedule but are given permission to stay or who get housing in exchange for doing work (and don't pay rent). Learn about your rights if you're asked to leave housing where you're a tenant at will.

Am I a tenant under Washington's laws?

It depends. If you have a rental agreement (written or verbal) with your landlord and regularly pay rent (money) for the housing, you're considered a tenant and you have certain rights and duties under Washington's Residential Landlord Tenant Act (RLTA). (<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18>) You can read the state law at RCW 59.18 (<https://apps.leg.wa.gov/rcw/default.aspx?cite=59.18>).

What is a tenant at will?

If you're a **tenant at will**, you don't make regular rent (money) payments on a schedule (like every month). You're given permission to stay in a place without having to pay any rent (money) or you may be asked to do work in exchange to stay. You and the person who allows you to stay do not have a rental agreement.

For example, you're a tenant at will if you're allowed to stay in a friend's or relative's house **without paying rent and without a rental agreement**.

Here are some other common examples of tenants at will:

- You're a live-in caregiver for a relative. You don't pay rent.
- You're asked to fix up a house by the owner. You have permission to live there without making any regular rent (money) payments until the remodeling work is done.

- You live with a friend and help with housework, groceries, and other bills. You don't pay any money towards the housing on a regular schedule.
- You're invited to stay with a friend for a few weeks while you look for a place to stay long-term.

Am I a tenant under the RLTA if I get housing as part of my job?

Maybe not. Most people who are given housing as part of a job aren't considered tenants and don't have the same protections under the RLTA.

You might get to live in a rental unit without paying rent because you were hired to do a specific job on the property, like property manager, maintenance person, seasonal farmworker. This arrangement is specifically not covered under the RLTA. You can read this law at [RCW 59.18.040\(9\)](https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.040) (<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.040>).

Often, the conditions for living in the rental unit will be listed in an employment agreement or policy. Sometimes, the conditions are just verbal and told to you when you're hired.

You're likely considered a tenant at will. This means the person or business giving you housing isn't considered a landlord and doesn't have to use certain termination notices and the specific eviction court process (called Unlawful Detainer) if they want you to leave.

In most cases they must only give you **reasonable notice and time** to pack up and leave. The notice may be written but a verbal notice may be enough.

However, there are some cases where someone who works in exchange for housing are covered by the RLTA. For example, you may be expected to work a certain number of hours every week at a certain rate that is considered "rent." Or you may have a certain amount of money withheld from each paycheck as rent. These situations may be enough to show you had a rental agreement. In these situations, you may be considered a tenant and have protections under the RLTA.

If you have questions about your employment and living situation and don't know if you're covered by the RLTA, try to [get legal help](#).

How much notice is reasonable when a property owner asks a tenant at will to leave?

Courts will look at various factors to determine how much time is reasonable. These factors can include how long you've been living there, if and what kind of work you were doing, what kind of housing you're living in, and the reason you are asked to leave. A roommate briefly staying in a small apartment may get less notice than a person living on a large farm for years.

Example 1: You've been staying at your parents' house as a caregiver for one of your parents for several years. You also help take care of the house and large yard. After that parent dies, the other parent wants to sell the house and wants you to leave. Because you've been there for so long, reasonable notice may be a month or longer.

Example 2: You've been staying in your RV trailer in a friend's driveway for 2 weeks. Your friend asks you to leave. Reasonable notice may be a week or less.

Example 3: You've been staying at a friend's house for a year. Your friend asks you to leave because you recently brought another friend to the house who started doing illegal drugs in the house. Reasonable notice may be just 3 days since you allowed drug use in the house.

If I don't leave in the time I am asked to leave, can the person who gave me permission to stay just throw me out?

No. the person who gave permission to let a tenant at will stay cannot just force the tenant at will to leave and must sue to get a court order to make you leave. This court process is called **ejectment**.

Ejectment actions often take a little longer and are more expensive than the Unlawful Detainer (eviction) court process that is used with tenants covered by the RLTA.

You should receive court papers called a Complaint and Summons with a deadline (usually within **20 days** from when you get the court papers) to respond in writing (or risk automatically losing).

If you are a tenant at will and get a Complaint and Summons for Unlawful Detainer (Eviction), it is likely not the proper type of lawsuit and you may be able to get it dismissed. You should try to get legal help immediately if you receive any court papers.

I'm not sure if I'm a tenant or tenant at will. My landlord asked me to leave. What should I do?

Try to get legal help. Sometimes it's hard to tell if a person is considered a tenant at will and which laws apply. Once you understand whether you are a tenant or a tenant at will, you may be able to negotiate with the owner so you can have more time to leave.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

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