

# **Illegal lock outs and utility shut offs**

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## **Last Review Date**

May 1, 2025

Landlords must use a court eviction process and get a court order signed by a judge to evict a tenant. Landlords cannot legally lock you out or shut off the utilities to try to force you to leave. Learn what you can do if your landlord tries to evict you without a court order and when to get legal help.

## **1. Illegal self help evictions**

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Illegal lock out and utility shut offs are sometimes called “self help” evictions.

Landlords must use a specific court eviction process (called an Unlawful Detainer Action) and get an order signed by a judge to evict a tenant.

Under RCW 59.18.290

(<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.290>), landlords cannot legally change the locks or otherwise stop a tenant who is living in a rental unit from entering their place without a court order.

Under RCW 59.18.300

(<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.300>)

(<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.300>), landlords cannot intentionally shut off a utility (like water, electricity, or gas) to try to force a tenant to move.

If a landlord locks you out or shuts off your utilities to try force you to move, try to get legal help right away.

## 2. Illegal lock outs

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Under state law at RCW 59.18.290(1)

(<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.290>), it is unlawful for a landlord to lock out a tenant from their rental unit without a court order.

A landlord can legally change the locks on a rental unit if a sheriff has enforced an eviction order that a judge signed (called a Writ of Restitution).

If you have abandoned your rental unit or it looks like you moved out without telling the landlord and are behind in rent—the landlord may change the locks. For example, if you told your landlord you're moving out or you move most of your possessions from the rental unit, your landlord may claim that you abandoned your rental unit.

If you are going to be absent from your rental unit for a while and are behind in rent, you may want to write to your landlord that you plan to come back to your rental unit.

If you have not abandoned the place and a sheriff has not enforced a court eviction order, the landlord cannot change locks, add locks, or otherwise keep you from entering the place in any other way. It does not matter if you are behind in rent, utilities, or other fees. The landlord must use the court eviction process before stopping you from entering your rental unit.

## **How do I check to make sure that there is no court order to evict me?**

You can call the clerk of your local Superior Court and ask if any lawsuit has been filed against you. In some rare situations, your landlord may have filed an eviction lawsuit against you without properly giving you notice.

If you find out that the landlord did file an eviction lawsuit against you, and you believe the landlord did not serve you with the lawsuit papers, try to get legal help right away.

## **The landlord did not file an eviction lawsuit against me but locked me out anyway. What can I do?**

Try to get legal help right away. While you are waiting for legal help, you can send a letter to your landlord demanding that they allow you back into the rental unit. You can use our sample letter.

You may also call local law enforcement and ask them to make your landlord allow you back into your rental unit. You may ask them to allow you to go back into your rental unit for some of your important items, for example medication or important documents.

You can take the landlord to small claims court to get money damages from the landlord. If you lost property or had to spend money because of the loss of housing, your landlord could be ordered to pay you money to cover the loss of your property and any other damages. Keep any receipts or paper that show how much you lost or had to spend because of the lockout.

Form attached:

**Letter to landlord - lock out** (NJP Housing 606)

### 3. Illegal utility shut offs

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#### Can my landlord shut off my utilities?

Under state law at RCW 59.18.300

(<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.300>), it is unlawful for a landlord to intentionally shut off utility service. This includes water, hot water, heat, electricity, or gas.

Your landlord cannot shut off utilities because you are behind in rent or to make you move.

However, landlords may shut off utilities temporarily if necessary to make repairs. For example, they may shut off the water temporarily to fix a leaky pipe or broken toilet.

If the utility account is in the landlord's name, it is illegal for your landlord to stop paying the bill so that the utility gets cut off to force you to move.

If the utility account is in your name, and they get shut off even though you have paid your bills, you will probably have to contact the utility company to find out why they shut off the utilities.

There are special protections against electricity and water shutoffs during extreme heat weather events. During a heat related weather alert, you may have to ask your landlord or utility company to turn the utilities back on, and they may have to turn them back on.

## **What can I do if the landlord shuts off my utilities?**

If you can safely turn the utilities back on, such as by flipping a switch, you can try to do so.

If only your landlord has access to the utilities, try to get legal help right away.

While you are trying to get legal help, you may also write and give the landlord a letter about turning the utilities back on. You can use our sample letter.

It might also help to contact your local government agency that enforces building codes. Some local code enforcement officials might turn the utilities back on for you. However, if your local code enforcement agency finds that your unit is without electricity or water, they may condemn the property.

You can take the landlord to small claims court. The judge can award you up to \$100 for each day the utilities were off. RCW 59.18.300 (<https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.300>).

Form attached:

**Letter to landlord - restore utilities** (NJP Housing 605)

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

Date: \_\_\_\_\_

To:

\_\_\_\_\_  
*Landlord's Name*

\_\_\_\_\_  
*Street address*

\_\_\_\_\_  
*City, state and zip*

Re: Possession of residence

I am writing about the place I rent from you at (your rental address):

\_\_\_\_\_  
On (date) \_\_\_\_\_, you or your agents locked me out of my rental unit.

Washington's Residential Landlord-Tenant Act at **RCW 59.18.290** states it is unlawful for a landlord to remove or exclude from the premises a tenant except under a court order.

You have no court order permitting this lock-out. I have not abandoned the rental unit and have no intention of abandoning it.

I will consider you responsible for any loss or damage to my property that occurs before you allow me to return.

I demand you restore possession of the residence to me immediately. Please call me so we can work out how you will get the new key to me.

If you do not give me immediate access to the residence, I will seek assistance from the sheriff and/or the Superior Court to get back possession of the residence.



\_\_\_\_\_  
*Sign here*

\_\_\_\_\_  
*Print name*

\_\_\_\_\_  
*Street address*

\_\_\_\_\_  
*City, state and zip*

\_\_\_\_\_  
*Phone number / Email - optional*

Date: \_\_\_\_\_

To:

\_\_\_\_\_  
*Landlord's Name*

\_\_\_\_\_  
*Street address*

\_\_\_\_\_  
*City, state and zip*

Re: Restoration of utilities

The rental unit at (*address*):

\_\_\_\_\_  
which you manage and which I live in needs these utilities restored:

\_\_\_\_\_  
Washington's Residential Landlord-Tenant Act at **RCW 59.18.070** requires you to begin to restore the loss of hot or cold water, heat or electricity, or a condition imminently hazardous to life **within 24 hours**.

**RCW 59.18.070** requires landlords to complete repair work promptly. If the repairs are not completed within the applicable period of time, I intend to use remedies provided in the Act.

If you have turned off these utilities purposely to force me to move, this is also unlawful under **RCW 59.18.300** and I may sue for damages for each day that the utilities were off, including penalties of \$100 for each day you intentionally keep my utilities off. Under **RCW 59.18.240**, It is unlawful to retaliate against me for asserting my rights.

Sincerely,



\_\_\_\_\_  
*Sign here*

\_\_\_\_\_  
*Print name*

\_\_\_\_\_  
*Street address*

\_\_\_\_\_  
*City, state and zip*

\_\_\_\_\_  
*Phone number / Email - optional*