My landlord illegally ended my tenancy or evicted me

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Last Review Date
May 3, 2025

Learn what a wrongful eviction or tenancy termination is and how a court can hold a landlord liable to a tenant in such cases.

Read this if you rented a place in Washington State as a month-to month tenant and you left after your landlord gave you a notice saying you had to leave. In some situations, if you left your home without a court order telling you to move out, you may get damages if your landlord's actions were unlawful (if you were wrongfully evicted).

Washington State law says a landlord can be responsible (can be liable) for harm they caused you if they told you to leave for an illegal reason or if they lock or force you out illegally. A court can order the landlord to pay you for any losses or expenses caused by the wrongful eviction, or for up to 3 months' rent, plus court costs.

What is a wrongful eviction?

In most cases, landlords must give a "good" reason to end (to terminate) a tenancy or to evict a tenant. Landlords must give the tenant a written notice which may be called a "Notice to Terminate Tenancy" or a "Notice to Vacate." The notice must list the reason why the landlord wants you to leave. You can read the law with the list of proper reasons to evict or end a tenancy at RCW 59.18.650 (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.650). The part of the law that describes the right to sue for wrongful eviction is RCW 59.18.650(4 (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18.650)).

A wrongful eviction can happen when a landlord does not give the notice at all or does not follow the law after giving the notice.

Why is the law important?

The harm from a wrongful eviction can be serious. People who are forced out of their homes can face homelessness, loss of property, emotional distress, anxiety, and poor health outcomes.

This new law recognizes that people who are wrongfully told to leave their homes have emotional distress, or pain and suffering, and should be compensated when their landlord illegally forces them to move.

Does the law cover me?

If you paid rent for a house, apartment, or room, you are probably covered by the Residential Landlord Tenant Act (https://app.leg.wa.gov/RCW/default.aspx?cite=59.18&full=true) (RLTA) and can take advantage of this law.

Some living arrangements are not covered by the RLTA. But for most residential landlords and tenants, the law applies.

The landlord asked me to move. Was it legal for my landlord to do this?

It depends. Here are some **examples** of situations that are "wrongful evictions" under the new state law:

- Your landlord gave you a 90-Day Notice to Terminate Tenancy. It said your landlord or someone from your landlord's family wanted to move into the unit. You moved out because of this notice. But your landlord or their family member never actually moved into the unit and continued to rent it out.
- Your landlord gave you a 90-Day Notice to Terminate Tenancy. It said your landlord wanted to sell the unit. You moved out because of this notice. But your landlord never tried to sell the unit and continued to rent it out.
- Your landlord gave you a 30-Day Notice to Terminate Tenancy. It said the property was uninhabitable (it was condemned). You moved out because of this notice. You found out later that no local agency ever said the place was condemned and was going to fine your landlord if you stayed in the condemned unit
- Your landlord gave you a 120-Day Notice to Terminate Tenancy. It said your landlord wanted to renovate, remodel, or demolish the rental unit or building. You moved out because of the notice. But your landlord never did what the notice claimed your landlord was going to do with the unit or building.
- Your landlord gave you a 120-Day Notice to Terminate Tenancy. It said your landlord was going to convert your rental into a condo. But that never happened.

There are other ways, not listed here, that your landlord might illegally say you have to move. Some cases may be harder to prove or win than others. Every

case is different. Try to talk to lawyer for advice about your situation.

One of the situations listed above as "wrongful" describes what happened to me. What can I do about it?

You can take your landlord to court (sue your landlord). A judge who agrees that you lost your home because of the landlord's unlawful action could order your landlord to pay the damages from the emotional distress this caused you, or up to **3 times** the monthly rent, plus the costs of filing the case (court costs and any attorney's fees).

Where would I sue the landlord?

It depends on how much you want to ask the court to order your landlord to pay you. If under $10,000, you should sue in the Small Claims Court in the county where the eviction happened.

The advantage of using Small Claims Court is that it is easy and cheap to file your case, and neither you nor your landlord can have a lawyer represent you.

Do I need a lawyer?

It is always a good idea to talk to a lawyer before you file anything with a court. But you do not need a lawyer to file a case or go to a hearing in Small Claims Court. You are also not allowed to have one there.

If you are suing for more than $10,000, you will need to file a lawsuit in your county's District Court or Superior Court. This is hard but not impossible to do on your own without a lawyer.

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