



INFORMATION REGARDING NOTICE TO PAY OR VACATE

The City of Tacoma is supplying this information sheet to assist tenants with understanding this notice. This information sheet is informative only and DOES NOT provide legal advice regarding your individual tenancy. **If you need to obtain legal advice regarding your individual tenancy, please contact the resources listed on the back of this page.**

What is a Notice to Pay Rent or Vacate?

Under Washington state law, a landlord must provide a tenant with a written fourteen-day notice to pay rent or vacate before starting a court proceeding for eviction for non-payment of rent. Usually, the terms of your rental agreement determine when rent is due. If you are even one day late in paying rent, then the landlord can provide you with a notice to pay rent or vacate.

What Charges Can Be Listed on a Notice to Pay Rent or Vacate?

The only amounts a landlord may require a tenant to pay on a fourteen-day notice to pay rent or vacate are recurring and periodic charges identified in the rental agreement, utilities, and missed payments under a payment agreement for move-in expenses. Other money potentially owed to the landlord—including late payment fees, damages, deposits, legal costs, and attorney's fees—cannot be included in a fourteen-day notice to pay or vacate.

Can I Make a Partial Payment to Stop the Eviction?

After a fourteen-day notice to pay rent or vacate is given to a tenant, the landlord is not required to accept partial payments. However, if you pay the full amount listed on the notice within fourteen days after receiving the notice, then the landlord must accept the payment and cannot proceed with an eviction for non-payment of rent. In other words, the notice to pay rent or vacate is the only warning period that the landlord needs to give a tenant before possibly starting the eviction process.

Can I Pay My Rent After the Fourteen Day Notice Expired?

Washington state law now provides tenants with rent owing to keep their tenancy in certain situations by paying back rent owing even after the fourteen-day notice period has passed. However, this process is usually not as simple as giving the landlord the back-owed rent. *If you want to exercise your rights to keep your tenancy by paying rent owing after the fourteen-day notice period has passed, contact the resources listed at the bottom of this page for assistance.*

Can I Withhold Rent to Get the Landlord to Make Repairs?

Withholding rent in order to get the landlord to make repairs is not specifically allowed under Washington state landlord tenant law and is usually unsound for tenants. Although the landlord's failure to make necessary repairs may be used as a defense at an eviction hearing, you risk losing the hearing and being immediately evicted. Never withhold rent before speaking with a lawyer about your situation.

RESOURCES

City of Tacoma—Landlord-Tenant Program

The Landlord-Tenant Program provides information and referrals to both landlords and tenants on their rights and responsibilities under the Washington State Residential Landlord-Tenant Act (RCW 59.18), the Tacoma Rental Housing Code (TMC 1.95) and Landlord Fairness Code Initiative (TMC 1.100). The Landlord-Tenant Program also enforces violations of the Rental Housing Code.

Landlord-Tenant Program

747 Market Street
Room 808
Tacoma, WA 98402

Landlord-Tenant Intake Process:

Phone: 311 or 253- 591-5000

Online: [TacomaFIRST 311- City of Tacoma](#)

Rental Housing Code-TMC 1.95

www.cityoftacoma.org/rentalhousingcode

Landlord Fairness Code Initiative- TMC 1.100

www.cityoftacoma.org/rentalhousingcode

City of Tacoma’s Fair Housing Law- TMC 1.29

https://www.cityoftacoma.org/government/city_departments/equity_and_human_rights/fair_housing

Legal Advice:

TACOMAPROBONO Community Lawyers

Tacomaprobono provides low-income individuals with free legal advice on civil legal aid issues. If you need legal advice about a landlord-tenant problem (rental agreements, moving, deposits, repairs, eviction, etc.) or any other type of housing issue, call Tacomaprobono’s Housing Justice Project at (253) 572-5134, or e-mail hjp@tacomaprobono.org for an online application link.

Starting in 2021, if you are going through the eviction process in Washington, and you have a net income of 200% of the federal poverty line or below, you qualify for free legal representation in court. It’s your right—protected by law. You do not have to face your landlord alone.

Call the Eviction Defense line at 1-855-657-8387 or apply online at [Eviction Help | Northwest Justice Project \(nwjustice.org\)](#). Interpreters available.

CLEAR

If you reside outside of King County, the CLEAR Hotline provides telephone consultations with free attorneys for low-income persons and seniors. You can reach the CLEAR Hotline at 1-888-201-1014 on weekdays between 9:15 am and 12:15 pm. Seniors (age 60 and over) can also call CLEAR*Sr at 1-888-387-7111. If you are deaf or hard of hearing, please call the CLEAR intake line at 1-888-201-1014 using your preferred TTY or video relay service.

WASHINGTONLAWHELP.ORG

WashingtonLawHelp is an online guide to free civil legal aid information for Washington. This website provides legal education materials and tools that provides basic information on numerous legal problems, and in some cases, detailed instructions and forms to help represent yourself in court.

Moderate Means Program

The Moderate Means Program offers referrals to attorneys who offer reduced-fee services in family, housing, consumer, and unemployment law for people who are low-income but do not qualify for the other services above. **Apply Online** or call 855-741-6930.

Rental Assistance/Funds:

Eviction Prevention Program

The Pierce County **Eviction Prevention** program supports eligible low-income households with their past due rent. For more information or to apply online visit <https://www.piercecountywa.gov/7142/Eviction-Prevention>.

211 Washington

211 connects callers, at no cost to critical health and human services in their community.

By simply dialing the number 211, searching the website (<https://wa211.org>), or texting 211WAOD to 898211, people can connect to help when they need help regardless of who provides the services or where the service is located.