

# **INFORMATION REGARDING A “NOTICE TO PAY OR VACATE” DO NOT IGNORE THIS NOTICE**

The City of Tacoma is supplying this information sheet to assist tenants with understanding a “Notice to Pay Rent or Vacate”. 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 at the bottom 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 three (3) 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”.

## **Can I Make a Partial Payment to Stop the Eviction?**

After a 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 three (3) 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 and time that the landlord needs to give a tenant before starting the eviction process.

## **What if the Amount on the Notice is Incorrect?**

Situations in which there is a dispute as to the amount owing can be very difficult and you should seek legal advice from one of the resources listed on the bottom of this information sheet. However, in general, if you know the amount listed on the notice is incorrect but some amount is actually owing, then you must still pay the landlord the amount of undisputed rent owing within three (3) days of receiving the notice.

## **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. Although you can bring up the landlord’s failure to make necessary repairs at an eviction hearing, you risk losing and being immediately evicted. Never withhold rent before speaking with a lawyer about your situation.



# RESOURCES

## **City of Tacoma—Landlord-Tenant Program**

The Program provides information and referrals to both landlords and tenants on their rights and responsibilities according to the Washington State Residential Landlord-Tenant Act (RCW 59.18) and the Rental Housing Code (TMC 1.95). This service is free and available to both property owners and tenants within the Tacoma city limits.

Landlord-Tenant Program  
747 Market Street  
Tacoma, WA 98402

Walk-In Wednesdays  
9 AM - 1 PM  
Located in the Customer Support Center

Landlord-Tenant Coordinator  
311  
(253) 591-5000

## **TACOMAPROBONO**

Tacomaprobono provides low-income individuals with free legal advice. Do you need legal advice about a landlord-tenant problem (rental agreements, moving, deposits, repairs, eviction, etc.) or any other type of housing issue? Call the Tacomaprobono's Housing Justice Project at (253) 572-5134, or e-mail [vls@tacomaprobono.org](mailto:vls@tacomaprobono.org).

## **CLEAR**

Do you need a telephone consultation with an attorney about your legal problem? If you are outside King County, call the CLEAR intake line first. If you are deaf or hard of hearing, please call our 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 services for low-income persons and seniors in Washington. This website provides legal education materials and tools that provide basic information on a number of legal problems, and in some cases, detailed instructions and forms to help you represent yourself in court.

