

INFORMATION SHEET FOR 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 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 Services

The Program is focused on improving the quality of life for the residents of Tacoma by equipping landlords and tenants with the tools needed to sustain safe, healthy, equitable and crime free communities.

Landlord-Tenant Program
747 Market Street
Room 1044
Tacoma, WA 98402

Landlord-Tenant Intake
311 or 253- 591-5000
[TacomaFIRST 311 - City of Tacoma](#)

Rental Housing Code-TMC 1.95
www.cityoftacoma.org/rentalhousingcode

TACOMAPROBONO Community Lawyers

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.

If you are going through the eviction process in Washington State, and you have a net income of 200% of the federal poverty line or below, you may be eligible for free legal help. It's your right — protected by law. You don't 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

Do you need a telephone consultation with an attorney about your legal problem? If you are outside King County, call the [CLEAR Hotline](#) at [1-888-201-1014](tel:1-888-201-1014) weekdays 9:15 am - 12:15 pm. Seniors (age 60 and over) can also call CLEAR*Sr at [1-888-387-7111](tel:1-888-387-7111). 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 provides basic information on a number of legal problems, and in some cases, detailed instructions and forms to help you represent yourself in court.

Moderate Means Program

The Moderate Means Program (MMP) is a statewide program designed to bridge this gap with attorneys who offer reduced-fee assistance in family, housing, consumer, and unemployment law cases for people in Washington fell between 200% and 400% of the [Federal Poverty Level](#). [Apply Online](#) or call 855-741-6930.