

Advocate.
Educate.
Celebrate.



10/30/24

King County Unlawful Detainer Webinar



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Disclaimer

The webinar is for informational purposes only and does not constitute legal advice. Please consult your ownership and legal counsel on these issues before taking any action or changing internal policy.

Agenda

- Welcome
- Problem Overview
- Ejectment – An Unlawful Detainer Alternative
 - Attendee Feedback
- The “New” Unlawful Detainer Process
 - Attendee Feedback
- Why We Need Your Stories
 - Attendee Feedback
 - Examples
- Media Relations Support

Problem Overview



Unlawful Detainers
Take Too !? *# Long!

Ejectment – An Unlawful Detainer Alternative

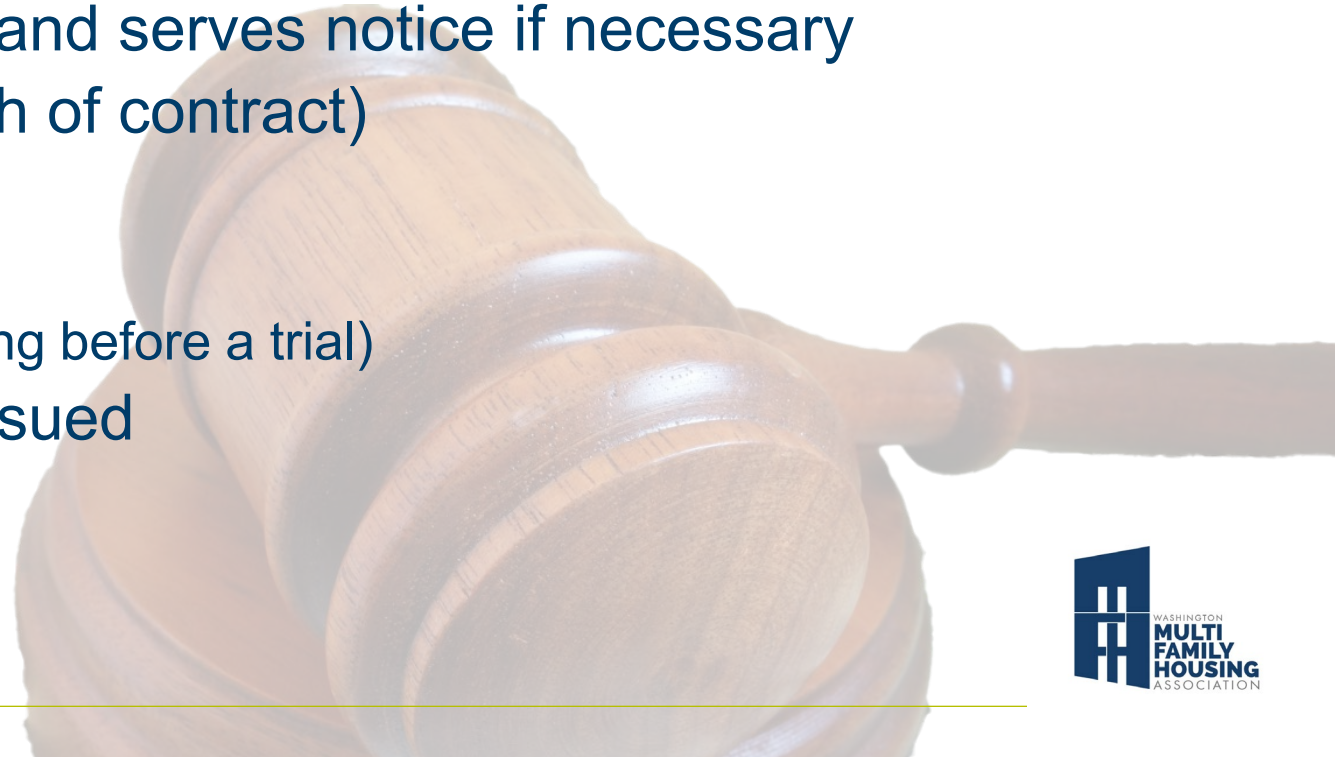


Unlawful Detainer

- Action to remove tenant for lease violations
 - Lease violation, non-payment of rent, waste, expiration of lease, etc.
- Process
 - Notice to cure violation or vacate
 - Unlawful detainer filed (Unlawful Detainer Docket)
 - Show cause hearing
 - In front of commissioner
 - If successful, eviction order issued (or if no answer, default judgement)
 - If unsuccessful, hearing scheduled or continuance granted (HJP representation sought)
 - Future hearing (tenant represented by HJP)
 - If successful, eviction order issued
 - If unsuccessful....start over....here we go again

Ejectment

- Legal action to recover possession of property from individual without the legal right to occupying it
- Process
 - Landlord asserts right to property and serves notice if necessary
 - Ejectment lawsuit filed (and breach of contract)
 - Regular Docket
 - In front of judge not commissioner
 - Summary Judgment available (hearing before a trial)
 - If successful, ejectment order is issued
 - Tenant is removed by sheriff



Ejectment v. Unlawful Detainer

- Unlawful Detainer
 - Streamlined
 - Before Commissioner not judge
 - Shorter statutory timelines
 - Based on unlawful detainer statutes (RLTA)
 - Less expensive
 - 30-60 days (6-8 months...or more)
- Ejectment
 - Slower
 - Before judge
 - Full court proceeding with all associated timelines
 - Based on property rights and contract rights
 - More expensive
 - 60-365 days

Ejectment Feedback



How the New UD Process Works

- First show cause hearing
 - Ramp up to 50 cases per calendar
 - 8:30am - Noon
 - Monday - Thursday
- Second Show Cause Hearing
 - Starting at 15 cases per calendar
 - 8:30am - Noon
 - Monday - Thursday

First Show Cause Hearing

- Staff will screen parties to identify:
 - the need for representation screening and entry of a 30-day continuance to the second show cause calendar
 - if the case is ready to proceed to a contested or one-party default hearing
 - if there is an agreed 30-day continuance to a second show cause
 - if the matter must be heard by a commissioner for a contested continuance request

Second Show Cause Hearing

- Ex Parte Department staff will assist the commissioner in screening cases to identify:
 - if the case has reached settlement
 - is ready to proceed to a contested or one-party default hearing
 - is not ready to proceed and will be continued 30 days and certified for hearing in front of a Superior Court Judge.
 - Any contested matters which cannot be heard on this calendar will also be continued 30 days and sent to the Chief Civil Judge for assignment to a Superior Court Judge

New UD Process Feedback



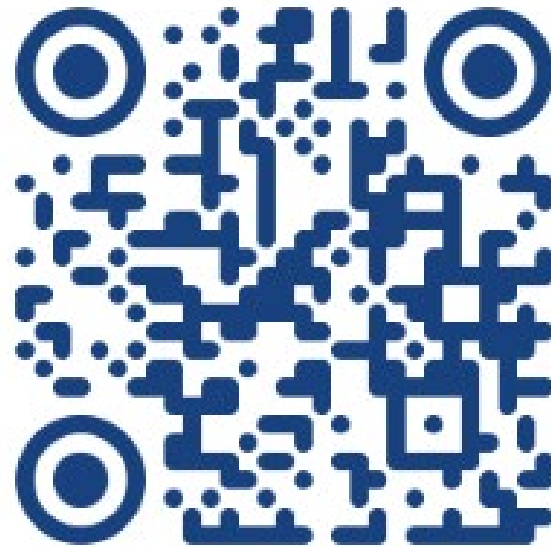
We want to hear from you!

- The public and media need to know what is happening
- Public outcry will drive elected officials and the court system to act
- Without resolution, our industry may collapse
 - Starting with Affordable housing

It's not me, it's you. Give us your stories



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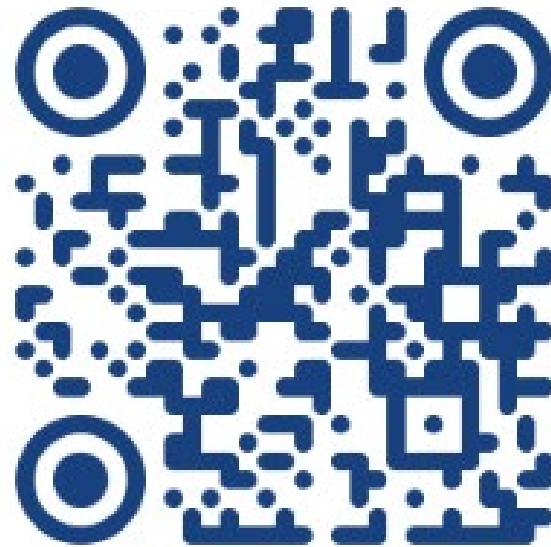


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Public Relations Support

- Crafting your Narrative and Core Messaging
- Tough Q & A
- Media Training
- Scenario Planning
- Media Relations

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