

INSTRUCTIONS ON SERVING THE 10-DAY NOTICE TO COMPLY OR VACATE

The 10-Day Notice to Comply or Vacate is not for rent. It is not the next step in a process. Rather, the 10-Day Notice to Comply or Vacate is the first step required for any violation of the rental agreement other than non-payment of rent.

Service of notices is strictly construed against the landlord. Even if you can prove the tenant actually received the notice, failure to strictly adhere to the service methods will result in dismissal of the eviction action. There are three acceptable means to serve a notice on a tenant.

- 1) Delivering a copy personally to each adult occupant.
- 2) Substitute service of enough copies for each adult occupant on a person of suitable age and discretion **AND** mailing a copy to each adult occupant.
- 3) If neither the tenant nor a person of suitable age and discretion is present then affixing enough copies for each adult occupant in a conspicuous place on the premises **AND** mailing a copy to each adult occupant.

Always knock first. A good tenant attorney might cross-examine the landlord witness as to whether the notice was posted without the server first inquiring if anyone was present. If so, the case will be dismissed.



Mailing. When mailing is required regular first class is fine unless the lease requires more. Mail from the same county where the rental property is located. Mailing alone is **never** sufficient, **even if** the tenant receives the notice. See above.

More than one tenant. If there is more than one person living in the property it is important to serve enough copies for each person. Each copy should be an exact duplicate with **all** tenants' names on it. If someone answers the door, hand that person enough copies of the notice for everyone and mail copies to all other occupants. Only tenants' names need be on the notice, but serve enough copies for each adult occupant, whether an authorized occupant or not.

Posting. Notices must be posted in a conspicuous manner. Post enough copies for each adult occupant. Posting alone is **never** sufficient, **even if** the tenant receives the notice. See above.

Section 8. Federal regulations impose additional requirements on section 8 tenants. There are more than one type of Section 8 program. Consult an attorney for more information.

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TEN DAY NOTICE TO COMPLY OR VACATE

TO:

AND TO ALL PERSONS IN POSSESSION

You and each of you are notified that you are in violation of the rules, regulations, rental agreement, and/or obligations or restrictions applicable to your tenancy of the premises commonly known as

_____, WA _____

Your non-compliance is described as:

and is in violation of the terms of your lease.

You are instructed within 10 (ten) days of service of this notice to comply with the obligations of your tenancy and to conform your conduct to the requirements set forth above, or vacate. If you fail to either comply or vacate your tenancy will be terminated and the landlord will be entitled to all remedies, relief, and damages allowed by law.

DATED _____, 20____.

Signature of landlord or landlord's agent

Print Name:

[enter address for landlord or landlord's agent]