

## **Vandalism of a Rental Unit as a Criminal Offense**

Many landlords have experienced damaged units at move-out. Often the security deposit isn't enough to cover repairs to the unit. Under certain circumstances the landlord can take the former tenant to small claims court, but even if the judgment is in the favor of the landlord, it is up to the landlord to collect the money owed.

### **Criminal Offense**

Under RCW 9A.48.070 a tenant causing greater than \$1,500 in damages to a rental unit may be able to be charged with malicious mischief in the first degree, a class B felony in Washington State.

RCW 59.18.130 (4) of the Landlord Tenant Act, states that a tenant is to “not intentionally or negligently destroy, deface, damage, impair, or remove any part of the structure or dwelling, with the appurtenances thereto, including the facilities, equipment, furniture, furnishings, and appliances, or permit any member of his or her family, invitee, licensee, or any person acting under his or her control to do so. Violations may be prosecuted under chapter 9A.48 RCW if the destruction is intentional and malicious.”

*This article contains general information and is not intended to apply to any specific situation. If you need legal advice or have questions about the application of the law in a particular matter, you should consult an attorney.*