

November 01 2016 12:57 PM

KEVIN STOCK  
COUNTY CLERK  
NO: 16-2-12465-3

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7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF PIERCE

8 THE ST JAMES, TNC LLC, a Washington  
9 Limited Liability Company

10 Plaintiff,

No.

11 vs.

COMPLAINT FOR UNLAWFUL  
DETAINER

12 Matthew Brandon, et al

13 Defendant.

14  
15 COMES NOW the Plaintiff and for cause of action against the Defendant(s) alleges as  
16 follows:

17 I.

18 Plaintiff is the owner, or duly appointed agent and manager for the owner, of the  
19 following unit in Pierce County, Washington:  
20

21 THE ST JAMES APARTMENTS

22 821 YAKIMA AVE #211

23 TACOMA, WA 98402

COMPLAINT FOR UNLAWFUL DETAINER

THE GRAY LAW FIRM, P.S.  
4142 6<sup>TH</sup> AVENUE  
TACOMA, WA 98406  
(253) 759-1141  
FAX (253) 759-1447

II.

Defendant(s) occupied the above-described premises pursuant to an agreement. The reasonable rental value is the sum of \$ 765.00 per month. In addition, a late charged is assessed of \$60.00 if said monthly rent is not paid by the 6<sup>th</sup> day of each month.

III.

Defendant(s) are unlawfully holding over and trespassing after receiving a 3-Day Notice to Pay Rent or Vacate, and have failed to pay the following amounts that are now delinquent:

October 2016 Rent: \$765.00

October 2016 Late Fee: \$60.00

Previously Unpaid Rent: \$0.00

Previously Unpaid Late Fees: \$0.00

Total: \$825.00

IV.

On or about October 6<sup>th</sup> 2016, there was delivered upon Defendant(s) a 3-Day Notice to Pay Rent or Vacate (copy attached hereto as **EXHIBIT A**). More than three (3) days have elapsed since the date of service of said Notice upon said Defendant(s) and the Defendant(s) have neither paid rent nor vacated and surrendered the premises. Furthermore, Plaintiff is due rent in the sum of \$ 765.00 per month for Defendant's unlawful holding over.

V.

COMPLAINT FOR UNLAWFUL DETAINER

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4142 6<sup>TH</sup> AVENUE  
TACOMA, WA 98406  
(253) 759-1141  
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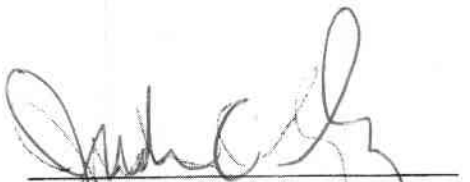
1 RCW 59.18.410 provides that Plaintiff may have a judgment for reasonable  
2 attorney's fees in an action for unlawful detainer. Plaintiff's reasonable attorney's fees, if  
3 this matter should be uncontested, are \$455.00; if this matter is contested, Plaintiff should  
4 have a judgment against Defendant(s) in such an amount as the court shall award.  
5

6 WHEREFORE, Plaintiff prays for judgment as follows:

- 7 1. Declaring Defendants tenancy of the above-described premises terminated;
- 8 2. For restitution of said premises to Plaintiff;
- 9 3. For damages for failure to pay rent for the month of August and for  
10 each additional month of continued occupation;
- 11 4. For Plaintiff's costs of suit declaring the forfeiture of said lease, including  
12 reasonable attorneys fees of \$455.00, if judgment taken by default, or such greater  
13 sum as the court deems reasonable if judgment be taken by show cause hearing;
- 14 5. For plaintiff's costs of suit declaring the forfeiture of said lease, including  
15 attorney fees;  
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1 6. For such other and further relief as to the court seems just and equitable

2 DATED this 10<sup>th</sup> day of October 2016.

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6 JUDSON C. GRAY, WSBA #15195  
7 JARED S. PRIVATT, WSBA #46740  
8 Attorney for Plaintiff  
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THE GRAY LAW FIRM, P.S.  
JUDSON C. GRAY, ATTORNEY  
4142 - 6th Avenue  
Tacoma, Washington 98406  
Telephone (253) 759-1141 Facsimile (253) 759-1447

**The Neiders Company**  
**THREE DAY NOTICE TO PAY RENT**  
**OR VACATE**

To: Matthew Brandon and all other occupants  
At: 821 S YAKIMA AVE # 211  
TACOMA WA 98405

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**YOU AND EACH OF YOU ARE HEREBY NOTIFIED THAT** rent for the premises described above is now due and owing in the amounts set forth below:

Rent for the month of October, 2016: \$765 .00

Previously unpaid rent: \$0.00

Month to month fee: \$

TOTAL DUE AND OWING: \$765.00

You are required to pay the full amount owing to the owner or its agent named below within three (3) days of receipt of this notice, or, in the alternative, to vacate and surrender the premises.

This notice is executed and served in accord with RCW 59.12 *et seq.* which provides that a tenant is in unlawful detainer of real property if the tenant fails to comply with the demands of a notice such as this. Failure to comply with this notice may result in initiation of an unlawful detainer action to evict you. Pursuant to the terms of your lease, you could be liable for court costs and attorney's fees in addition to the rent currently due in any suit instituted because of your default. The landlord hereby expressly reserves all rights and remedies regarding any and all other defaults under the Lease /contract which are not set forth herein.

Landlord/Agent: St James Apartments  
Address: 821 Yakima Ave  
Tacoma, Washington 98405

**DECLARATION OF SERVICE**

The undersigned, under penalty of perjury under the laws of the State of Washington, declares that copies of this document were

☐ personally served on the tenant on \_\_\_\_\_

☒ After knocking and receiving no response, posted at the rental premises and mailed to the tenant's address on 10/6/2016

Signed in the City of Tacoma, this 6<sup>th</sup> day of October, 2016.

Signed: 

Printed name: Jaimee Gordon