

FILED
SUPREME COURT
STATE OF WASHINGTON
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BY SARAH R. PENDLETON
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No. 1045042

(Court of Appeal No. 59630-0-II)
(Pierce County Superior Court No. 23-2-08016-1)

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

ROBERT STALLWORTH and LADERIA STALLWORTH

Appellants,

v.

WASHINGTON AND RICE, LLC,

Respondent.

ANSWER TO PETITION FOR REVIEW

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I. IDENTITY OF RESPONDENT

Respondent Washington and Rice, LLC (“Respondent”) is a former landlord of the Appellants Robert and Ladedria Stallworth (“Appellants”), and asks the Court to deny the Appellants’ Petition for Review (“Petition”) of a decision by the Court of Appeals to uphold a judgment in favor of the Respondent for unpaid rent.

II. COURT OF APPEALS OPINION

On May 20, 2025, the Court of Appeals Division II held that this is an action for breach of contract rather than an action for unlawful detainer, and that Appellants’ alleged defenses based upon statutes formerly in RCW Chapter 59.18, the Residential Landlord-Tenant Act, have no application to an action for breach of contract seeking unpaid rent. This decision is unpublished.

III. STATEMENT OF THE ISSUE

Is the Court of Appeals' decision in conflict with any Supreme Court or Court of Appeals decision, or does it raise a constitutional issue or issue of substantial public interest.

IV. STATEMENT OF THE CASE

For purposes of this answer, Respondent relies on the facts as presented in the Court of Appeals opinion. However, Respondent wishes to highlight the following facts noted in the decision:

- The Appellants vacated the property leased to the them by Respondent months before this action was commenced.
- Respondent first attempted to seek recovery of lost rent through a rental assistance agency. However, Appellants did not submit required information to the rental assistance agency, preventing the processing of rental assistance funds on their behalf.
- The rental agreement signed by the parties contained an attorney fee provision authorizing an award of

attorney fees to the prevailing party in an action for breach of the agreement.

V. ARGUMENT

By virtue of RAP 13.4(b) a Petition for Review will be accepted by this Court only if:

(1) the Court of Appeals' decision conflicts with a decision of the Supreme Court;

(2) the Court of Appeals' decision conflicts with another published decision of the Court of Appeals;

(3) a significant question of law under the Washington State Constitution or the United States Constitution is involved; or

(4) the Petition involves an issue of substantial public interest that should be determined by the Supreme Court.

Appellants have clearly not met this standard. They do not mention RAP 13.4(b) in their Petition, and were apparently unaware of its requirements. They do not cite any decisions or allege any facts that might satisfy any of the stated requirements.

VI. CONCLUSION

The Court should deny the Petition for Review and award attorney fees and expenses incurred in filing this answer pursuant to RAP 18.1(j).

This document contains 425 words, excluding the parts of the document exempted from the word count by RAP 18.17.

Dated this 1st day of October 2025.

Respectfully submitted,

GORDON THOMAS HONEYWELL LLP

By /s/ Joe Gordon, Jr.

Joe Gordon, Jr., WSBA No. 1804

Attorneys for Respondent

CERTIFICATE OF SERVICE

I declare under penalty of perjury of the laws of the State of Washington as follows:

On October 1, 2025 I sent a true and correct copy of the answer to Petition for review to the following parties of record, via email and U.S. mail to the following:

Robert and Ladedria Stallworth
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Kimberly Harmon
Gordon Thomas Honeywell LLP

GORDON THOMAS HONEYWELL

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