

WAC 162-38-090 Public areas of rental property. (1) **Are covered as places of public accommodation.** RCW 49.60.040 includes the following in its broad definition of place of public accommodation:

". . . public halls, public elevators, and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants."

(2) **Applicable law.** Public areas as defined in this section are governed by the public accommodations coverage of the law against discrimination, RCW 49.60.215, and chapter 162-26 WAC, public accommodations, disability discrimination, as well as by the real estate transaction coverage of the law against discrimination and this chapter of the commission's regulations.

(3) **Public areas.** "Public" areas for purposes of public accommodations coverage of rental property include all areas intended for use by more than one tenant, or by one or more tenants and the resident owner. The area need not be open to the public at large. The area is covered if it is open to all tenants, or any two tenants, or the owner and one or more tenants. In addition to public halls, public elevators and public washrooms, public areas include garbage disposal facilities, recreation facilities, laundry or other work areas, and open space.

[Statutory Authority: RCW 49.60.120(3) and 49.60.240. WSR 96-13-045, § 162-38-090, filed 6/13/96, effective 7/14/96. Statutory Authority: RCW 49.60.120(3). WSR 82-19-086 (Order 41), § 162-38-090, filed 9/22/82.]