

WAC 162-38-050 Who is protected. (1) **Scope.** RCW 49.60.222 defines practices in connection with real estate transactions that are unfair when done because of "the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a disabled person." Nothing in this chapter or in chapter 49.60 RCW, however, prohibits treating disabled persons more favorably in a real estate transaction than persons who are not disabled.

(2) **Presence of disability.** The presence of a sensory, mental, or physical disability includes, but is not limited to, an abnormal condition that:

- (a) Is medically cognizable or diagnosable;
- (b) Exists as a record or history; or
- (c) Is perceived to exist, whether or not it exists in fact.

[Statutory Authority: RCW 49.60.120(3) and 1997 c 271. WSR 98-08-035, § 162-38-050, filed 3/23/98, effective 4/23/98. Statutory Authority: RCW 49.60.120(3) and 49.60.240. WSR 96-13-045, § 162-38-050, filed 6/13/96, effective 7/14/96. Statutory Authority: RCW 49.60.120(3). WSR 82-19-086 (Order 41), § 162-38-050, filed 9/22/82.]