
HOUSE BILL 2450

State of Washington

59th Legislature

2006 Regular Session

By Representatives Miloscia and Hasegawa

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Committee on Housing.

1 AN ACT Relating to background information checks performed by
2 landlords and charged to tenants; amending RCW 59.18.257; and providing
3 an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 59.18.257 and 1991 c 194 s 3 are each amended to read
6 as follows:

7 (1) If a landlord uses a tenant screening service, then the
8 landlord may only charge for the costs incurred for using the tenant
9 screening service under this section. If a landlord conducts his or
10 her own screening of tenants, then the landlord may charge his or her
11 actual costs in obtaining the background information, but the amount
12 may not exceed the customary costs charged by a screening service in
13 the general area. The landlord's actual costs may include any fees or
14 other charges required to obtain the background information, and costs
15 incurred for long distance phone calls and (~~for time spent calling~~
16 landlords, employers, and financial institutions)) facsimiles.

17 (2) A landlord may not charge a prospective tenant for the cost of
18 obtaining background information under this section unless the landlord
19 first notifies the prospective tenant in writing of what a tenant

1 screening entails, the prospective tenant's rights to dispute the
2 accuracy of information provided by the tenant screening service or
3 provided by the entities listed on the tenant application who will be
4 contacted for information concerning the tenant, and the name and
5 address of the tenant screening service used by the landlord.

6 (3) Nothing in this section requires a landlord to disclose
7 information to a prospective tenant that was obtained from a tenant
8 screening service or from entities listed on the tenant application
9 which is not required under the federal fair credit reporting act, 15
10 U.S.C. Sec. 1681 et seq.

11 (4) Landlords must produce, upon request, proof of order and
12 payment for any background information for which a tenant was charged.
13 Proof may be in the form of a receipt, email confirmation, or other
14 document produced by a screening service or from entities listed on the
15 tenant application. The document must mention the tenant's name and
16 social security number or date of birth.

17 (5) Any landlord who violates this section may be liable to the
18 prospective tenant for an amount not to exceed one hundred dollars.
19 The prevailing party may also recover court costs and reasonable
20 attorneys' fees.

21 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2006.

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