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**SUBSTITUTE SENATE BILL 5568**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Kohl-Welles, Billig, Frockt, Chase, Harper, Hasegawa, Keiser, Shin, Kline, and Nelson)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to the disclosure of certain information when  
2 screening tenants; amending RCW 59.18.580; and providing an effective  
3 date.

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

5 **Sec. 1.** RCW 59.18.580 and 2004 c 17 s 4 are each amended to read  
6 as follows:

7 (1) A tenant screening service provider may not (a) disclose a  
8 tenant's, applicant's, or household member's status as a victim of  
9 domestic violence, sexual assault, or stalking, or (b) knowingly  
10 disclose that a tenant, applicant, or household member has previously  
11 terminated a rental agreement under RCW 59.18.575.

12 (2) A landlord may not terminate a tenancy, fail to renew a  
13 tenancy, or refuse to enter into a rental agreement based on the  
14 tenant's or applicant's or a household member's status as a victim of  
15 domestic violence, sexual assault, or stalking, or based on the tenant  
16 or applicant having terminated a rental agreement under RCW 59.18.575.

17 ~~((+2))~~ (3) A landlord who refuses to enter into a rental agreement  
18 in violation of subsection (2) of this section may be liable to the

1 tenant or applicant in a civil action for damages sustained by the  
2 tenant or applicant. The prevailing party may also recover court costs  
3 and reasonable attorneys' fees.

4 ~~((3))~~ (4) It is a defense to an unlawful detainer action under  
5 chapter 59.12 RCW that the action to remove the tenant and recover  
6 possession of the premises is in violation of subsection ~~((1))~~ (2) of  
7 this section.

8 ~~((4))~~ (5) This section does not prohibit adverse housing  
9 decisions based upon other lawful factors within the landlord's  
10 knowledge or prohibit volunteer disclosure by an applicant of any  
11 victim circumstances.

12 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2014.

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