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**SUBSTITUTE SENATE BILL 5376**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Financial Institutions & Insurance (originally sponsored by Senators Habib, Miloscia, Darneille, Jayapal, Hobbs, Kohl-Welles, Keiser, Frockt, and Chase)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to the reporting of eviction records; amending  
2 RCW 19.182.040; and adding a new section to chapter 59.18 RCW.

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

4 **Sec. 1.** RCW 19.182.040 and 2011 c 333 s 2 are each amended to  
5 read as follows:

6 (1) Except as authorized under subsection (2) of this section, no  
7 consumer reporting agency may make a consumer report containing any  
8 of the following items of information:

9 (a) Bankruptcies that, from date of adjudication of the most  
10 recent bankruptcy, antedate the report by more than ten years;

11 (b) Suits and judgments that, from date of entry, antedate the  
12 report by more than seven years or until the governing statute of  
13 limitations has expired, whichever is the longer period;

14 (c) Paid tax liens that, from date of payment, antedate the  
15 report by more than seven years;

16 (d) Accounts placed for collection or charged to profit and loss  
17 that antedate the report by more than seven years;

18 (e) Records of arrest, indictment, or conviction of an adult for  
19 a crime that, from date of disposition, release, or parole, antedate  
20 the report by more than seven years;

1 (f) Juvenile records, as defined in RCW 13.50.010(1)(c), when the  
2 subject of the records is twenty-one years of age or older at the  
3 time of the report; (~~and~~)

4 (g) Eviction records, including records of any civil action for  
5 unlawful detainer, forcible detainer, ejectment, or other claim in  
6 which the plaintiff seeks to gain or recover possession of  
7 residential real property from one or more defendants, if the  
8 eviction suit was sealed by the court; and

9 (h) Any other adverse item of information that antedates the  
10 report by more than seven years.

11 (2) Subsection (1)(a) through (e) and (~~(g)~~) (h) of this section  
12 is not applicable in the case of a consumer report to be used in  
13 connection with:

14 (a) A credit transaction involving, or that may reasonably be  
15 expected to involve, a principal amount of fifty thousand dollars or  
16 more;

17 (b) The underwriting of life insurance involving, or that may  
18 reasonably be expected to involve, a face amount of fifty thousand  
19 dollars or more; or

20 (c) The employment of an individual at an annual salary that  
21 equals, or that may reasonably be expected to equal, twenty thousand  
22 dollars or more.

23 NEW SECTION. Sec. 2. A new section is added to chapter 59.18  
24 RCW to read as follows:

25 (1) A consumer reporting agency shall not include a prospective  
26 tenant's involvement in a prior eviction suit in a tenant screening  
27 report if the eviction suit was sealed by the court.

28 (2) A landlord shall not fail to renew a tenancy or refuse to  
29 enter into a rental agreement with a prospective tenant based on an  
30 eviction record, including records of any civil action for unlawful  
31 detainer, forcible detainer, ejectment, or other claim in which the  
32 plaintiff seeks to gain or recover possession of residential real  
33 property from one or more defendants, if the eviction suit was sealed  
34 by the court.

35 (3) For purposes of this section, "eviction suit" includes any  
36 civil action for unlawful detainer, forcible detainer, ejectment, or

1 other claim in which the plaintiff seeks to gain or recover  
2 possession of residential real property from one or more defendants.

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