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**SUBSTITUTE HOUSE BILL 1101**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** House Housing (originally sponsored by Representatives Taylor, Bergquist, Ramel, and Gregerson)

AN ACT Relating to tenant screening in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 64.32 RCW to read as follows:

(1) Except as otherwise prohibited by law, and subject to the limitations in subsection (2) of this section, an association of apartment owners may:

(a) Require any apartment owner intending to lease the owner's apartment to use a tenant screening service or obtain background information, including criminal history, on a prospective tenant, at the owner's sole cost and expense, prior to the owner entering into a lease agreement with a prospective tenant; and

(b) Require proof that the tenant screening requirement has been fulfilled or that the background information on a prospective tenant has been obtained by the owner intending to lease the owner's apartment.

(2) An association may not require that a copy of the tenant screening report or any background information pertaining to a tenant be furnished to the association.

NEW SECTION. **Sec.**  A new section is added to chapter 64.34 RCW to read as follows:

(1) Except as otherwise prohibited by law, and subject to the limitations in subsection (2) of this section, a unit owners' association may:

(a) Require any unit owner intending to lease the owner's unit to use a tenant screening service or obtain background information, including criminal history, on a prospective tenant, at the owner's sole cost and expense, prior to the owner entering into a lease agreement with a prospective tenant; and

(b) Require proof that the tenant screening requirement has been fulfilled or that the background information on a prospective tenant has been obtained by the owner intending to lease the owner's unit.

(2) An association may not require that a copy of the tenant screening report or any background information pertaining to a tenant be furnished to the association.

NEW SECTION. **Sec.**  A new section is added to chapter 64.38 RCW to read as follows:

(1) Except as otherwise prohibited by law, and subject to the limitations in subsection (2) of this section, a homeowners' association may:

(a) Require any lot owner intending to lease the owner's lot to use a tenant screening service or obtain background information, including criminal history, on a prospective tenant, at the owner's sole cost and expense, prior to the owner entering into a lease agreement with a prospective tenant; and

(b) Require proof that the tenant screening requirement has been fulfilled or that the background information on a prospective tenant has been obtained by the owner intending to lease the owner's lot.

(2) An association may not require that a copy of the tenant screening report or any background information pertaining to a tenant be furnished to the association.

NEW SECTION. **Sec.**  A new section is added to chapter 64.90 RCW to read as follows:

(1) Except as otherwise prohibited by law, and subject to the limitations in subsection (2) of this section, a unit owners association may:

(a) Require any unit owner intending to lease the owner's unit to use a tenant screening service or obtain background information, including criminal history, on a prospective tenant, at the owner's sole cost and expense, prior to the owner entering into a lease agreement with a prospective tenant; and

(b) Require proof that the tenant screening requirement has been fulfilled or that the background information on a prospective tenant has been obtained by the owner intending to lease the owner's unit.

(2) An association may not require that a copy of the tenant screening report or any background information pertaining to a tenant be furnished to the association.

**--- END ---**