CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1101**

Chapter 23, Laws of 2023

68th Legislature

2023 Regular Session

COMMON INTEREST COMMUNITIES—TENANT SCREENING

EFFECTIVE DATE: July 23, 2023

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| Passed by the House January 26, 2023  Yeas 95 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives**  Passed by the Senate March 22, 2023  Yeas 49 Nays 0  DENNY HECK  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1101** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved April 6, 2023 9:15 AM | April 6, 2023 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE HOUSE BILL 1101**

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Passed Legislature - 2023 Regular Session

**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.

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Passed by the House January 26, 2023.

Passed by the Senate March 22, 2023.

Approved by the Governor April 6, 2023.

Filed in Office of Secretary of State April 6, 2023.