

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

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**

Approved April 6, 2023 9:15 AM

JAY INSLEE

**Governor of the State of Washington**

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**

FILED

April 6, 2023

**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)

READ FIRST TIME 01/23/23.

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

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

6       NEW SECTION.   **Sec. 1.** A new section is added to chapter 64.32  
7 RCW to read as follows:

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

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

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

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

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 64.34  
5 RCW to read as follows:

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

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

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

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

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 64.38  
21 RCW to read as follows:

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

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

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

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

36 NEW SECTION. **Sec. 4.** A new section is added to chapter 64.90  
37 RCW to read as follows:

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

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

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

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

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.

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