

2SHB 1217 - H AMD 34

By Representative Walen

1 On page 7, after line 34, strike all material through "RCW" on
2 page 8, line 6, and insert the following:

3 "(1) A tenant injured by a violation of section 101 of this act,
4 section 102 of this act, section 103 of this act, RCW 59.18.140,
5 59.18.170, 59.18.200, 59.18.270, or 59.18.650 may bring an action
6 under chapter 19.86 RCW but must establish all required elements of an
7 action under chapter 19.86 RCW before relief may be granted under that
8 chapter.

9 (2) The attorney general may bring an action under chapter 19.86
10 RCW for a violation of section 101 of this act, section 102 of this
11 act, section 103 of this act, RCW 59.18.140, 59.18.170, 59.18.200,
12 59.18.270, or 59.18.650, but must establish all required elements of
13 an action under chapter 19.86 RCW before relief may be granted under
14 that chapter"

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16 On page 16, after line 35, strike all material through "RCW" on
17 page 17, line 7, and insert the following:

18 "(1) A tenant injured by a violation of section 201 of this act,
19 section 202 of this act, section 203 of this act, RCW 59.20.060,
20 59.20.090, or 59.20.170 may bring an action under chapter 19.86 RCW
21 but must establish all required elements of an action under chapter
22 19.86 RCW before relief may be granted under that chapter.

23 (2) The attorney general may bring an action under chapter 19.86
24 RCW for a violation of section 201 of this act, section 202 of this
25 act, section 203 of this act, RCW 59.20.060, 59.20.090, or 59.20.170
26 but must establish all required elements of an action under chapter
27 19.86 RCW before relief may be granted under that chapter"

EFFECT: Removes the language providing that violations of certain provisions specified in the bill, including the rent and fee increase limit, are *per se* violations of the Consumer Protection Act (CPA), and instead authorizes a tenant or the Attorney General's Office (AGO) to bring an action under the CPA for a violation of the specified provisions if the tenant or AGO can establish all required elements of a CPA action.

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