
SUBSTITUTE HOUSE BILL 1101

State of Washington

68th Legislature

2023 Regular Session

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

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.

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