

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1101

Chapter 21, 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**

SUBSTITUTE HOUSE BILL 1101

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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