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SENATE BILL 5196

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State of Washington

57th Legislature

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By Senators Prentice and Winsley

Read first time 01/15/2001. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to the fair credit reporting act; and amending  
2 RCW 19.182.005, 19.182.010, 19.182.020, 19.182.070, 19.182.080,  
3 19.182.090, 19.182.100, and 19.182.110.

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

5 **Sec. 1.** RCW 19.182.005 and 1993 c 476 s 1 are each amended to read  
6 as follows:

7 The legislature finds and declares that consumers have a vital  
8 interest in establishing and maintaining creditworthiness. The  
9 legislature further finds that an elaborate mechanism using credit  
10 reports and credit scores has developed for investigating and  
11 evaluating a consumer's creditworthiness, credit capacity, and  
12 general reputation and character. As such, credit reports and  
13 credit scores are used for evaluating credit card, loan, mortgage,  
14 and small business financing applications, as well as for  
15 decisions regarding employment and the rental or leasing of  
16 dwellings. Moreover, financial institutions and other creditors  
17 depend upon fair and accurate credit reports and credit scores to

1 efficiently and accurately evaluate creditworthiness. Unfair or  
2 inaccurate reports and scores undermine both public and creditor  
3 confidences in the reliability of credit granting systems.

4 Therefore, this chapter is necessary to assure accurate credit  
5 data collection, maintenance, and reporting on the citizens of the  
6 state. It is the policy of the state that credit reporting agencies  
7 maintain accurate credit reports and credit scores, resolve  
8 disputed reports promptly and fairly, and adopt reasonable  
9 procedures to promote consumer confidentiality and the proper use  
10 of credit data in accordance with this chapter.

11 **Sec. 2.** RCW 19.182.010 and 1993 c 476 s 3 are each amended to read  
12 as follows:

13 Unless the context clearly requires otherwise, the definitions  
14 in this section apply throughout this chapter.

15 (1)(a) "Adverse action" includes:

16 (i) Denial of, increase in any charge for, or reduction in the  
17 amount of insurance for personal, family, or household purposes;

18 (ii) Denial of employment or any other decision for employment  
19 purposes that adversely affects a current or prospective employee;

20 (iii) Action or determination with respect to a consumer's  
21 application for credit that is adverse to the interests of the  
22 consumer; and

23 (iv) Action or determination with respect to a consumer's  
24 application for the rental or leasing of residential real estate  
25 that is adverse to the interests of the consumer.

26 (b) "Adverse action" does not include:

27 (i) A refusal to extend additional credit under an existing  
28 credit arrangement if:

29 (A) The applicant is delinquent or otherwise in default with  
30 respect to the arrangement; or

31 (B) The additional credit would exceed a previously established  
32 credit limit; or

33 (ii) A refusal or failure to authorize an account transaction  
34 at a point of sale.

35 (2) "Attorney general" means the office of the attorney  
36 general.

37 (3) "Consumer" means an individual.

1 (4)(a) "Consumer report" means a written, oral, or other  
2 communication of information by a consumer reporting agency  
3 bearing on a consumer's creditworthiness, credit standing, credit  
4 capacity, character, general reputation, personal characteristics,  
5 or mode of living that is used or expected to be used or collected  
6 in whole or in part for:

7 (i) The purpose of serving as a factor in establishing the  
8 consumer's eligibility for credit or insurance to be used  
9 primarily for personal, family, or household purposes;

10 (ii) Employment purposes; or

11 (iii) Other purposes authorized under RCW 19.182.020.

12 (b) "Consumer report" does not include:

13 (i) A report containing information solely as to transactions  
14 or experiences between the consumer and the person making the  
15 report;

16 (ii) An authorization or approval of a specific extension of  
17 credit directly or indirectly by the issuer of a credit card or  
18 similar device;

19 (iii) A report in which a person who has been requested by a  
20 third party to make a specific extension of credit directly or  
21 indirectly to a consumer conveys his or her decision with respect  
22 to the request, if the third party advises the consumer of the  
23 name and address of the person to whom the request was made and  
24 the person makes the disclosures to the consumer required under  
25 RCW 19.182.070;

26 (iv) A list compiled by a consumer reporting agency to be used  
27 by its client for direct marketing of goods or services not  
28 involving an offer of credit;

29 (v) A report solely conveying a decision whether to guarantee a  
30 check in response to a request by a third party; or

31 (vi) A report furnished for use in connection with a  
32 transaction that consists of an extension of credit to be used for  
33 a commercial purpose.

34 (5) "Consumer reporting agency" means a person who, for  
35 monetary fees, dues, or on a cooperative nonprofit basis,  
36 regularly engages in whole or in part in the business of  
37 assembling or evaluating consumer credit information or other  
38 information on consumers for the purpose of furnishing consumer

1 reports to third parties, and who uses any means or facility of  
2 commerce for the purpose of preparing or furnishing consumer  
3 reports. "Consumer reporting agency" does not include a person  
4 solely by reason of conveying a decision whether to guarantee a  
5 check in response to a request by a third party or a person who  
6 obtains a consumer report and provides the report or information  
7 contained in it to a subsidiary or affiliate of the person.

8 (6) "Credit score" means a numerical value or a categorization  
9 derived from a statistical tool or modeling system used by a  
10 person who makes or arranges a loan to predict the likelihood of  
11 certain credit behaviors, including default. The numerical value or  
12 the categorization derived from this analysis may also be referred  
13 to as a risk predictor or risk score.

14 "Credit score" does not include any mortgage score or rating of  
15 an automated underwriting system that considers one or more key  
16 factors in addition to credit information, including, but not  
17 limited to, the loan to value ratio, the amount of down payment,  
18 or a consumer's financial assets. "Credit score" does not include  
19 other elements of the underwriting process or underwriting  
20 decision.

21 For the purposes of this subsection, "key factors" means all  
22 relevant elements or reasons adversely affecting the credit score  
23 for the particular individual listed in the order of their  
24 importance based on their effect on the credit score.

25 (7) "Credit transaction that is not initiated by the consumer"  
26 does not include the use of a consumer report by an assignee for  
27 collection or by a person with which the consumer has an account,  
28 for purposes of (a) reviewing the account, or (b) collecting the  
29 account. For purposes of this subsection "reviewing the account"  
30 includes activities related to account maintenance and monitoring,  
31 credit line increases, and account upgrades and enhancements.

32 ((+7)) (8) "Direct solicitation" means the process in which  
33 the consumer reporting agency compiles or edits for a client a  
34 list of consumers who meet specific criteria and provides this  
35 list to the client or a third party on behalf of the client for  
36 use in soliciting those consumers for an offer of a product or  
37 service.

38 ((+8)) (9) "Employment purposes," when used in connection with

1 a consumer report, means a report used for the purpose of  
2 evaluating a consumer for employment, promotion, reassignment, or  
3 retention as an employee.

4 ~~((+9))~~ (10) "File," when used in connection with information  
5 on any consumer, means all of the information on that consumer  
6 recorded and retained by a consumer reporting agency regardless of  
7 how the information is stored.

8 ~~((+10))~~ (11) "Investigative consumer report" means a consumer  
9 report or portion of it in which information on a consumer's  
10 character, general reputation, personal characteristics, or mode  
11 of living is obtained through personal interviews with neighbors,  
12 friends, or associates of the consumer reported on or with others  
13 with whom the consumer is acquainted or who may have knowledge  
14 concerning any items of information. However, the information does  
15 not include specific factual information on a consumer's credit  
16 record obtained directly from a creditor of the consumer or from a  
17 consumer reporting agency when the information was obtained  
18 directly from a creditor of the consumer or from the consumer.

19 ~~((+11))~~ (12) "Medical information" means information or  
20 records obtained, with the consent of the individual to whom it  
21 relates, from a licensed physician or medical practitioner,  
22 hospital, clinic, or other medical or medically related facility.

23 ~~((+12))~~ (13) "Person" includes an individual, corporation,  
24 government or governmental subdivision or agency, business trust,  
25 estate, trust, partnership, association, and any other legal or  
26 commercial entity.

27 ~~((+13))~~ (14) "Prescreening" means the process in which the  
28 consumer reporting agency compiles or edits for a client a list of  
29 consumers who meet specific credit criteria and provides this list  
30 to the client or a third party on behalf of the client for use in  
31 soliciting those consumers for an offer of credit.

32 **Sec. 3.** RCW 19.182.020 and 1993 c 476 s 4 are each amended to  
33 read as follows:

34 (1) A consumer reporting agency may furnish a consumer report  
35 or credit score only under the following circumstances:

36 (a) In response to the order of a court having jurisdiction to  
37 issue the order;

1 (b) In accordance with the written instructions of the consumer  
2 to whom it relates; or

3 (c) To a person that the agency has reason to believe:

4 (i) Intends to use the information in connection with a credit  
5 transaction involving the consumer on whom the information is to  
6 be furnished and involving the extension of credit to, or review  
7 or collection of an account of, the consumer;

8 (ii) Intends to use the information for employment purposes;

9 (iii) Intends to use the information in connection with the  
10 underwriting of insurance involving the consumer;

11 (iv) Intends to use the information in connection with a  
12 determination of the consumer's eligibility for a license or other  
13 benefit granted by a governmental instrumentality required by law  
14 to consider an applicant's financial responsibility or status; or

15 (v) Otherwise has a legitimate business need for the  
16 information in connection with a business transaction involving  
17 the consumer.

18 (2)(a) A person may not procure a consumer report, or cause a  
19 consumer report to be procured, for employment purposes with  
20 respect to any consumer who is not an employee at the time the  
21 report is procured or caused to be procured unless:

22 (i) A clear and conspicuous disclosure has been made in writing  
23 to the consumer before the report is procured or caused to be  
24 procured that a consumer report may be obtained for purposes of  
25 considering the consumer for employment. The disclosure may be  
26 contained in a written statement contained in employment  
27 application materials; or

28 (ii) The consumer authorizes the procurement of the report.

29 (b) A person may not procure a consumer report, or cause a  
30 consumer report to be procured, for employment purposes with  
31 respect to any employee unless the employee has received, at any  
32 time after the person became an employee, written notice that  
33 consumer reports may be used for employment purposes. A written  
34 statement that consumer reports may be used for employment  
35 purposes that is contained in employee guidelines or manuals  
36 available to employees or included in written materials provided  
37 to employees constitutes written notice for purposes of this  
38 subsection. This subsection does not apply with respect to a

1 consumer report of an employee who the employer has reasonable  
2 cause to believe has engaged in specific activity that constitutes  
3 a violation of law.

4 (c) In using a consumer report for employment purposes, before  
5 taking any adverse action based in whole or part on the report, a  
6 person shall provide to the consumer to whom the report relates:

7 (i) The name, address, and telephone number of the consumer  
8 reporting agency providing the report; (ii) a description of the  
9 consumer's rights under this chapter pertaining to consumer  
10 reports obtained for employment purposes; and (iii) a reasonable  
11 opportunity to respond to any information in the report that is  
12 disputed by the consumer.

13 **Sec. 4.** RCW 19.182.070 and 1993 c 476 s 9 are each amended to read  
14 as follows:

15 A consumer reporting agency shall, upon request by the  
16 consumer, clearly and accurately disclose:

17 (1) All information in the file on the consumer at the time of  
18 request, except that medical information may be withheld. The  
19 agency shall inform the consumer of the existence of medical  
20 information, and the consumer has the right to have that  
21 information disclosed to the health care provider of the  
22 consumer's choice. Nothing in this chapter prevents, or authorizes  
23 a consumer reporting agency to prevent, the health care provider  
24 from disclosing the medical information to the consumer. The  
25 agency shall inform the consumer of the right to disclosure of  
26 medical information at the time the consumer requests disclosure  
27 of his or her file.

28 (2) All items of information in its files on that consumer,  
29 including disclosure of the sources of the information, except  
30 that sources of information acquired solely for use in an  
31 investigative report may only be disclosed to a plaintiff under  
32 appropriate discovery procedures.

33 (3) Identification of (a) each person who for employment  
34 purposes within the two-year period before the request, and (b)  
35 each person who for any other purpose within the six-month period  
36 before the request, procured a consumer report.

37 (4) A record identifying all inquiries received by the agency

1 in the six-month period before the request that identified the  
2 consumer in connection with a credit transaction that is not  
3 initiated by the consumer.

4 (5) An identification of a person under subsection (3) or (4)  
5 of this section must include (a) the name of the person or, if  
6 applicable, the trade name under which the person conducts  
7 business; and (b) upon request of the consumer, the address of the  
8 person.

9 (6)(a) A credit score with an explanation consisting of a  
10 decoded written version of the score.

11 (b) A copy of the following notice, which shall include the  
12 name, address, and telephone number of each credit bureau  
13 providing a credit score that was used:

14  
15 NOTICE TO THE HOME LOAN APPLICANT

16 In connection with your application for a home loan, the lender  
17 must disclose to you the score that a credit bureau distributed to  
18 users and the lender used in connection with your home loan, and  
19 the key factors affecting your credit scores.

20 The credit score is a computer-generated summary calculated at  
21 the time of the request and based on information a credit bureau  
22 or lender has on file. The scores are based on data about your  
23 credit history and payment patterns. Credit scores are important  
24 because they are used to assist the lender in determining whether  
25 you will obtain a loan. They may also be used to determine what  
26 interest rate you may be offered on the mortgage. Credit scores can  
27 change over time, depending on your conduct, how your credit  
28 history and payment patterns change, and how credit scoring  
29 technologies change.

30 Because the score is based on information in your credit  
31 history, it is very important that you review the credit-related  
32 information that is being furnished to make sure it is  
33 accurate. Credit records may vary from one company to another.

34 If you have questions about your credit score or the credit  
35 information that is furnished to you, contact the credit bureau at  
36 the address and telephone number provided with this notice, or  
37 contact the lender, if the lender developed or generated the



1 credit score. The credit bureau plays no part in the decision to  
2 take any action on the loan application and is unable to provide  
3 you with specific reasons for the decision on a loan application.

4 If you have questions concerning the terms of the loan, contact  
5 the lender.

6 (c) This section shall not require any person to do the  
7 following:

8 (i) Disclose any information other than a credit score or key  
9 factor, as defined in RCW 19.182.010;

10 (ii) Disclose any credit score or related information obtained  
11 by the user after a loan has closed;

12 (iii) Provide more than one disclosure per loan transaction;  
13 and

14 (iv) Provide the disclosure required by this section when  
15 another person has made the disclosure to the consumer for that  
16 loan transaction.

17 (d) Any person's obligation pursuant to this section shall be  
18 limited solely to providing a copy of the information that was  
19 received from the consumer reporting agency. No person has  
20 liability under this section for the content of that information  
21 or for the omission of any information within the report provided  
22 by the consumer reporting agency.

23 (e) As used in this section, the term "person" does not include  
24 an "enterprise" as defined in Section 4502(6) of Title 12 of the  
25 United States Code.

26 **Sec. 5.** RCW 19.182.080 and 1993 c 476 s 10 are each amended to  
27 read as follows:

28 (1) A consumer reporting agency shall make the disclosures  
29 required under RCW 19.182.070 during normal business hours and on  
30 reasonable notice.

31 (2) The consumer reporting agency shall make the disclosures  
32 required under RCW 19.182.070 to the consumer:

33 (a) In person if the consumer appears in person and furnishes  
34 proper identification;

35 (b) By telephone if the consumer has made a written request,  
36 with proper identification, for telephone disclosure and the toll  
37 charge, if any, for the telephone call is prepaid by or charged

1 directly to the consumer; or

2 (c) By any other reasonable means that are available to the  
3 consumer reporting agency if that means is authorized by the  
4 consumer.

5 (3) A consumer reporting agency shall provide trained personnel  
6 to explain to the consumer, information furnished to the consumer  
7 under RCW 19.182.070.

8 (4) The consumer reporting agency shall permit the consumer to  
9 be accompanied by one other person of the consumer's choosing, who  
10 shall furnish reasonable identification. A consumer reporting  
11 agency may require the consumer to furnish a written statement  
12 granting permission to the consumer reporting agency to discuss  
13 the consumer's file in the other person's presence.

14 (5) If a credit score is provided by a consumer reporting  
15 agency to a consumer, the agency shall provide an explanation of  
16 the meaning of the credit score under RCW 19.182.070.

17 (6) Except as provided in RCW 19.182.150, no consumer may bring  
18 an action or proceeding in the nature of defamation, invasion of  
19 privacy, or negligence with respect to the reporting of  
20 information against a consumer reporting agency or a user of  
21 information, based on information disclosed under this section or  
22 RCW 19.182.070, except as to false information furnished with  
23 malice or willful intent to injure the consumer. Except as provided  
24 in RCW 19.182.150, no consumer may bring an action or proceeding  
25 against a person who provides information to a consumer reporting  
26 agency in the nature of defamation, invasion of privacy, or  
27 negligence for unintentional error.

28 (7)(a) A consumer reporting agency must provide to a consumer,  
29 with each written disclosure by the agency to the consumer under  
30 RCW 19.182.070, a written summary of all rights and remedies the  
31 consumer has under this chapter.

32 (b) The summary of the rights and remedies of consumers under  
33 this chapter must include:

34 (i) A brief description of this chapter and all rights and  
35 remedies of consumers under this chapter;

36 (ii) An explanation of how the consumer may exercise the rights  
37 and remedies of the consumer under this chapter; and

38 (iii) A list of all state agencies, including the attorney

1 general's office, responsible for enforcing any provision of this  
2 chapter and the address, web site, and appropriate phone number of  
3 each such agency.

4 **Sec. 6.** RCW 19.182.090 and 1993 c 476 s 11 are each amended to  
5 read as follows:

6 (1) If the completeness or accuracy of an item of information  
7 contained in a consumer's file at a consumer reporting agency is  
8 disputed by the consumer and the consumer notifies the agency  
9 directly of the dispute, the agency shall reinvestigate without  
10 charge and record the current status of the disputed information  
11 before the end of thirty business days, beginning on the date the  
12 agency receives the notice from the consumer.

13 (2) Before the end of the five business-day period beginning on  
14 the date a consumer reporting agency receives notice of a dispute  
15 from a consumer in accordance with subsection (1) of this section,  
16 the agency shall notify any person who provided an item of  
17 information in dispute.

18 (3)(a) Notwithstanding subsection (1) of this section, a  
19 consumer reporting agency may terminate a reinvestigation of  
20 information disputed by a consumer under subsection (1) of this  
21 section if the agency determines that the dispute by the consumer  
22 is frivolous or irrelevant, including by reason of a failure of  
23 the consumer to provide sufficient information.

24 (b) Upon making a determination in accordance with (a) of this  
25 subsection that a dispute is frivolous or irrelevant, a consumer  
26 reporting agency shall notify the consumer within five business  
27 days of the determination. The notice shall be made in writing or  
28 any other means authorized by the consumer that are available to  
29 the agency, but the notice shall include the reasons for the  
30 determination and a notice of the consumer's rights under  
31 subsection (6) of this section.

32 (4) In conducting a reinvestigation under subsection (1) of  
33 this section with respect to disputed information in the file of  
34 any consumer, the consumer reporting agency shall review and  
35 consider all relevant information submitted by the consumer in the  
36 period described in subsection (1) of this section with respect to  
37 the disputed information.

1 (5)(a) If, after a reinvestigation under subsection (1) of this  
2 section of information disputed by a consumer, the information is  
3 found to be inaccurate or cannot be verified, the consumer  
4 reporting agency shall promptly delete the information from the  
5 consumer's file.

6 (b)(i) If information is deleted from a consumer's file under  
7 (a) of this subsection, the information may not be reinserted in  
8 the file after the deletion unless the person who furnishes the  
9 information verifies that the information is complete and  
10 accurate.

11 (ii) If information that has been deleted from a consumer's  
12 file under (a) of this subsection is reinserted in the file in  
13 accordance with (b)(i) of this subsection, the consumer reporting  
14 agency shall notify the consumer of the reinsertion within thirty  
15 business days. The notice shall be in writing or any other means  
16 authorized by the consumer that are available to the agency.

17 (6) If the reinvestigation does not resolve the dispute or if  
18 the consumer reporting agency determines the dispute is frivolous  
19 or irrelevant, the consumer may file a brief statement setting  
20 forth the nature of the dispute. The consumer reporting agency may  
21 limit these statements to not more than one hundred words if it  
22 provides the consumer with assistance in writing a clear summary  
23 of the dispute.

24 (7) After the deletion of information from a consumer's file  
25 under this section or after the filing of a statement of dispute  
26 under subsection (6) of this section, the consumer reporting  
27 agency shall, at the request of the consumer, furnish notification  
28 that the item of information has been deleted or that item of  
29 information is disputed. In the case of disputed information, the  
30 notification shall include the statement filed under subsection  
31 (6) of this section. The notification shall be furnished to any  
32 person specifically designated by the consumer, who has, within  
33 two years before the deletion or filing of a dispute, received a  
34 consumer report concerning the consumer for employment purposes,  
35 or who has, within six months of the deletion or the filing of the  
36 dispute, received a consumer report concerning the consumer for  
37 any other purpose, if these consumer reports contained the deleted  
38 or disputed information.

1 (8)(a) Upon completion of the reinvestigation under this  
2 section, a consumer reporting agency shall provide notice, in  
3 writing or by any other means authorized by the consumer, of the  
4 results of a reinvestigation within five business days.

5 (b) The notice required under (a) of this subsection must  
6 include:

7 (i) A statement that the reinvestigation is completed;

8 (ii) A consumer report that is based upon the consumer's file  
9 as that file is revised as a result of the reinvestigation;

10 (iii) A description or indication of any changes made in the  
11 consumer report as a result of those revisions to the consumer's  
12 file;

13 (iv) If requested by the consumer, a description of the  
14 procedure used to determine the accuracy and completeness of the  
15 information shall be provided to the consumer by the agency,  
16 including the name, business address, and telephone number of any  
17 person contacted in connection with the information;

18 (v) If the reinvestigation does not resolve the dispute, a  
19 summary of the consumer's right to file a brief statement as  
20 provided in subsection (6) of this section; and

21 (vi) If information is deleted or disputed after  
22 reinvestigation, a summary of the consumer's right to request  
23 notification to persons who have received a consumer report as  
24 provided in subsection (7) of this section.

25 (9) In the case of a consumer reporting agency that compiles  
26 and maintains consumer reports and credit scores on a nationwide  
27 basis, the consumer reporting agency must provide to a consumer  
28 who has undertaken to dispute the information contained in his or  
29 her file a toll-free telephone number and a web site address that  
30 the consumer can use to communicate with the agency. A consumer  
31 reporting agency that provides a toll-free number and a web site  
32 address required by this subsection shall also provide adequately  
33 trained personnel to answer basic inquiries from consumers using  
34 the toll-free number and web site.

35 **Sec. 7.** RCW 19.182.100 and 1993 c 476 s 12 are each amended to  
36 read as follows:

1 (1) Except as provided in subsections (2) and (3) of this  
2 section, a consumer reporting agency may charge the following fees  
3 to the consumer:

4 (a) For making a disclosure under RCW 19.182.070 and  
5 19.182.080, the consumer reporting agency may charge a fee not  
6 exceeding eight dollars. Beginning January 1, 1995, the eight-  
7 dollar charge may be adjusted on January 1st of each year based on  
8 corresponding changes in the consumer price index with fractional  
9 changes rounded to the nearest half dollar except that, in the  
10 case of disclosure of a credit score, the consumer reporting  
11 agency may exceed the statutory charge by a reasonable amount.

12 (b) For furnishing a notification, statement, or summary to a  
13 person under RCW 19.182.090(7), the consumer reporting agency may  
14 charge a fee not exceeding the charge that the agency would impose  
15 on each designated recipient for a consumer report. The amount of  
16 any charge must be disclosed to the consumer before furnishing the  
17 information.

18 (2) A consumer reporting agency shall make all disclosures  
19 under RCW 19.182.070 and 19.182.080 and furnish all consumer  
20 reports under RCW 19.182.090 without charge, if requested by the  
21 consumer within sixty days after receipt by the consumer of a  
22 notification of adverse action under RCW 19.182.110 or of a  
23 notification from a debt collection agency affiliated with that  
24 consumer reporting agency stating that the consumer's credit  
25 rating may be or has been adversely affected.

26 (3) A consumer reporting agency shall not impose any charge for  
27 (a) providing notice to a consumer required under RCW 19.182.090,  
28 or (b) notifying a person under RCW 19.182.090(7) of the deletion  
29 of information that is found to be inaccurate or that can no  
30 longer be verified, if the consumer designates that person to the  
31 agency before the end of the thirty-day period beginning on the  
32 date of notice under RCW 19.182.090(8).

33 **Sec. 8.** RCW 19.182.110 and 1993 c 476 s 13 are each amended to  
34 read as follows:

35 If a person takes an adverse action with respect to a consumer  
36 that is based, in whole or in part, on information contained in a  
37 consumer report or credit score, the person shall:

1           (1) Provide written notice of the adverse action to the  
2 consumer, except verbal notice may be given by a person in an  
3 adverse action involving a business regulated by the Washington  
4 utilities and transportation commission or involving an  
5 application for the rental or leasing of residential real estate  
6 if such verbal notice does not impair a consumer's ability to  
7 obtain a credit report without charge under RCW 19.182.100(2); and  
8           (2) Provide the consumer with the name, address, and telephone  
9 number of the consumer reporting agency that furnished the report  
10 to the person.

--- END ---

