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## Judiciary Committee

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### SSB 5568

**Title:** An act relating to the disclosure of certain information when screening tenants.

**Brief Description:** Concerning the disclosure of certain information when screening tenants.

**Sponsors:** Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Kohl-Welles, Billig, Frockt, Chase, Harper, Hasegawa, Keiser, Shin, Kline and Nelson).

#### Brief Summary of Substitute Bill

- Prohibits a tenant screening service provider from:
  - disclosing a tenant's, applicant's, or household member's status as a victim of domestic violence, sexual assault, or stalking; or
  - knowingly disclosing that a tenant, applicant, or household member has previously terminated a rental agreement pursuant to the provision that allows a victim of domestic violence, sexual assault, or stalking to do so.

**Hearing Date:** 3/20/13

**Staff:** Cece Clynch (786-7195).

#### Background:

The Residential Landlord-Tenant Act (RLTA) regulates the relationship between tenants and landlords. The RLTA sets forth requirements, duties, rights, and remedies with respect to the landlord-tenant relationship.

The RLTA specifically allows a tenant to terminate a rental agreement without further obligation under the tenancy agreement if the tenant or a household member is a victim of a crime of domestic violence, sexual assault, or stalking and if:

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- the tenant or household member has a valid order of protection or has reported the domestic violence, sexual assault, or stalking to a "qualified third party" who has a written record of the report; and
- the request to terminate was made within 90 days of the reported act or event that led to the protection order or report to a qualified third party.

"Qualified third party" means law enforcement, health professionals, court employees, licensed mental health professionals or counselors, trained advocates for crime victim/witness programs, or clergy.

Under the RLTA, a landlord may not terminate a tenancy, fail to renew a tenancy, or refuse to enter into a rental agreement with a person based on the tenant's, applicant's, or a household member's status as a victim of domestic violence, sexual assault, or stalking or based on the person having previously terminated a rental agreement pursuant to the above provision that allows a victim of domestic violence, sexual assault, or stalking to do so. A landlord who refuses to enter into a rental agreement under these circumstances may be liable to the tenant or applicant in a civil action for damages.

For purposes of the RLTA provisions regarding victims of domestic violence, sexual assault, and stalking, "tenant screening service provider" means any nongovernmental agency that provides, for a fee, background information on prospective tenants to landlords.

**Summary of Bill:**

A tenant screening service provider may not:

- disclose a tenant's, applicant's, or household member's status as a victim of domestic violence, sexual assault, or stalking; or
- knowingly disclose that a tenant or applicant has previously terminated a rental agreement pursuant to the provision that allows a victim of domestic violence, sexual assault, or stalking to do so.

Volunteer disclosure, by an applicant, of any victim circumstances is not prohibited.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on January 1, 2014.