
Judiciary Committee

HB 1257

Title: An act relating to tenant screening.

Brief Description: Concerning tenant screening.

Sponsors: Representatives Walkinshaw, Senn, Robinson, Stanford, Farrell, Ormsby, Riccelli, Gregerson, Jinkins, Fitzgibbon, Peterson, Bergquist, Santos and Pollet.

Brief Summary of Bill

- Defines "comprehensive screening report."
- States that a landlord may not charge a prospective tenant for a tenant screening report if a comprehensive screening report has been provided to the landlord by a consumer reporting agency.

Hearing Date: 2/4/15

Staff: Brent Campbell (786-7152).

Background:

The Residential Landlord-Tenant Act (RLTA) regulates the rights and duties of landlords and tenants in residential rental housing.

Under the RLTA, landlords may screen and evaluate potential tenants either by conducting their own searches of public records or by using companies that provide consumer reports for use in tenant screening. However, prior to obtaining any information about a prospective tenant, a prospective landlord is required to first notify the prospective tenant of:

- what types of information will be accessed;
- what criteria may result in denial of the application;
- the contact information of the consumer reporting agency, if used; and
- the prospective tenants right to receive a free copy of the consumer report and to dispute the accuracy of information.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A landlord may only charge a prospective tenant for the costs incurred in obtaining a tenant screening report if this required information is provided to the prospective tenant.

Summary of Bill:

A landlord may not charge a prospective tenant for costs incurred in obtaining a tenant screening report if a comprehensive screening report regarding the prospective tenant was: (1) prepared within 30 days of the rental application; and (2) made available to the prospective landlord by a consumer reporting agency. A prospective landlord is not prevented from getting an independent tenant screening report if a comprehensive screening report is made available to him or her. However, a prospective landlord may not charge the prospective tenant for any subsequent report. The landlord also may not treat a prospective tenant any less favorably solely because a comprehensive screening report regarding the prospective tenant has been provided.

A "comprehensive screening report" is defined as a tenant screening report that contains:

- a consumer report concerning the prospective tenant prepared by a consumer reporting agency that compiles and maintains files on consumers on a nationwide bases;
- the consumer reporting agency's contact information;
- the prospective tenant's criminal history and a sex offender search;
- the prospective tenant's eviction history;
- the prospective tenant's employment verification; and
- the prospective tenant's address history.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on November 1, 2016.