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**SUBSTITUTE HOUSE BILL 1101**

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**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.

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