



Please **OPPOSE**: Sealing unlawful detainer and protections order records.

Landlords look for tenants who can pay the rent on time, take care of the asset, and be respectful to their neighbors. Unlawful detainer actions can provide a landlord with patterns and behaviors of a prospective tenant and is information landlords NEED to make educated business decisions about prospective tenants.

Unlawful Detainers

The filings of unlawful detainers and evictions go hand-in-hand. In most cases a landlord seeks to terminate tenancy because a tenant defaults in rent or fails to comply with lease rules. Landlords try to work with the tenant to resolve the issue before beginning the eviction process. Evictions are costly, between \$800 - \$1200 in attorney fees plus lost rent, and not something landlords strive to do on a regular basis. It is rare that a landlord recovers these costs.

Not all unlawful detainers become evictions records. If a tenant moves, or some other agreement is reached, the unlawful detainer process stops prior to an eviction. This does not mean a legal reason for filing an unlawful detainer did not exist. Landlords consider an applicant's unlawful detainer filing history and expect a satisfactory answer as to what happened before making a tenancy decision.

Access to Records

Denying access to public records does not set a good precedent. It is important that laws are careful to balance the public's longstanding right to access public information (first recognized in the United States Constitution) with an individual's right to privacy. In a civil case the court or any party may request a hearing to seal or redact the court records.

Please **OPPOSE**: Concerning tenant screening and "portable" screening reports

Not All Consumer Reports Are the Same

Some reports are very basic while others supply a great deal of detail about a person including previous addresses, social security number verification, fraud alerts, etc. It should be left up to the rental property owner to decide which company provides the best information relevant to make an informed decision. It also is a factor that differentiates consumer reporting agencies.

No to Portable Reports

A consumer report must be up-to-date. Information on a consumer report can change daily, and sometimes hourly. Portable reports are unable to meet that need as the information the contain becomes obsolete quickly.

Solutions:

In 2012 the WRHIC supported SB 6315, requiring landlords to disclose, prior to accepting a renter's application, their minimum screening criteria and inform an applicant denied tenancy of the reason for their denial. Providing this information up front allows renters to make an informed choice as to whether or not they will pass a screening. This bill has only been in effect since July 2012 and should be given an opportunity to work prior to discussing any new forms of legislation impacting tenant screening reports.

Please **SUPPORT HB**: **Extend the deadline for Carbon Monoxide alarm installs**

In 2009 the Legislature passed a law to ensure all housing in Washington would have carbon monoxide detectors. The law also gave discretion to the State Building Code Council (SBCC) to determine whether CO alarms would be required in some or all existing rental properties by January 1, 2013.

In the past 3 years, the SBCC has issued 4 different and conflicting sets of regulations. Even the Seattle Times was confused by the many different regulations issued and gave incorrect advice. Due to conflicting regulations many landlords delayed installation of CO alarms or install them only when there is a turnover in the rental unit.

- **November 2009:** The SBCC rules CO alarms are required in all existing rental properties by 7/1/11.
- **November 2010:** A new, substitute rule requires CO alarms be installed by 1/1/13 in rental units that have fuel-fired appliances or attached garages.
- **November 2011:** A new, substitute rule requires CO alarms be installed in all rental units, even in units without fuel sources. However, the regulation also states an owner is not required to install the alarms until “alterations, repairs or additions requiring a permit occur...”
- **June 2012:** A final ruling requires CO alarms be installed in all units by the original 1/1/13.

Due to these conflicting rulings, Washington landlords face potential civil liability if CO alarms are not installed by January 1, 2013. **We request that the deadline be extended to January 1, 2015.** This will allow more time to correctly educate landlords about the requirement and provide time for installation.

Please **SUPPORT**: **Rental property owner representation on State Building Code Council**

The State Building Code Council is charged with reviewing various codes that affect both small and large residential properties. The SBCC currently has 15 members designated by statute – RCW 19.27.070. None of the 15 SBCC members represent or speak for owners and managers of the hundreds of thousands of rental properties in the state.

The International Building, Fire, and Residential Codes all have provisions which govern both new and **existing residential rental properties**. Every 3 years a new version of each code under the purview of the SBCC brings changes to the regulations and requirements affecting existing residential rental properties. Those required changes and modifications to existing properties cost hundreds or hundreds of thousands of dollars to accomplish. Proposed changes should be reviewed by someone who understands the possible financial and practical consequences to existing property owners. **We request the SBCC be expanded to include members with practical experience and expertise to undertake a meaningful review of such code changes.**

Please **SUPPORT**: **Allowing all fees and charges to be listed on a 3-day Pay or Vacate Notice**

Court rulings by some court commissioners, especially in certain counties, will dismiss an unlawful detainer case if there are non-rent items on the notice to pay rent or vacate. This is a relatively recent change in how late fees are allowed to be collected, and confuses the process of what can and cannot be listed as past due rent owed on a 3-Day Notice to Pay or Vacate. **We request that the legislature clarify that a 3-Day Notice to Pay or Vacate includes all rent-related charges, including fees assessed due to non-payment of rent.**

MEMBERS OF WRHIC:

Rental Housing Association (RHA) | Washington Multi-Family Housing Association (WMFHA) | Landlord Association of the Inland NW (LLA) | Institute of Real Estate Management (IREM), Manufactured Housing Communities of Washington (MHCW) | National Association of Residential Property Managers (NARPM) | Washington Apartment Association (WAA) | Washington Landlord Association (WLA) | Yakima Valley Landlord Association (YVLA)