The way evictions are currently reported just doesn't make any sense.

If a company is creating a tenant report about you, it should be accurate and should fairly represent your renter history. Currently, when a tenant is named in an eviction lawsuit, tenant screening companies merely state you were involved, and that's it—they don't have to explain the circumstances or the ruling outcome. The eviction could've been thrown out or the court could've ruled in favor of the tenant. But, none of this really matters because tenant reports list all eviction lawsuits as equal, even when the tenant wins. No matter the outcome, tenants have a mark on their record.

Many tenants are seen as “guilty,” even when they're “innocent.”

Even when eviction lawsuits are unfair, erroneous, or ruled in the renter’s favor, the tenant is still stuck with the “Do Not Rent To” label. Thus, the concept of “innocent until proven guilty” doesn’t apply to these tenants. Once companies mark your record, it will appear to all future landlords that you were guilty, even if you proved yourself innocent in court. Many good renters have their names blacklisted by tenant screening reports simply because a landlord filed a suit against them. Outcomes where the tenant won or where the case was thrown out shouldn't limit a tenant's ability to find housing in the future.

What is the legislative ask?

Pass the Truth in Evictions Reporting Act to make the tenant screening process more affordable and fair for both tenants and landlords.

Updated 1/11/2015

WHEN WINNING IS LOSING

Why We Need to Reform Tenant Screening Practices

The U.S. justice system guarantees that every American will be considered innocent until proven guilty. Yet when a landlord files an eviction lawsuit against a renter, that renter’s record is blemished — no matter the suit’s outcome. Learn how improving tenant screening report standards will protect the basic rights of Washington renters.

THE LIFETIME OF AN EVICTION FILING

Eviction Notice
- Tenant stays or is unable to leave.

Summons & Complaint Filed
- Tenant stays or is unable to leave.

Some tenants may be vacate here, but still have a permanent mark on their record.

Tenant has their day in court and/or reaches an agreement with the landlord.
- Tenants are branded as a problem and housing in the future.

"Show Cause" Hearing with a Judge
- Tenant can rule, dismiss, or send the case to trial.

Judgement
- Law enforcement is authorized to remove tenant.

Writ of Restitution
- Tenants can choose to vacate to avoid a permanent mark on their record.

General Dismissal
- Eviction filings are included on tenants’ screening reports and complicate their access to future housing.

PUBLIC RECORD OF EVICTION FILING CREATED

Tenant screening companies only track names, not court outcomes. This burdens a tenant with a “Scarlet Letter,” even if the ruling is in their favor.

BUT ALL THIS IS REPORTED AS

Tenant found not guilty and WINS
- Law enforcement is authorized to remove tenant.

Tenant has difficulty finding new home in the future.

THE SAME BAD OUTCOME!

But tenant still LOSES — eviction filing appears on tenant’s record.

Even If Tenants Win, They Lose

Approximately one-third of all unlawful detainer (a.k.a. eviction) filings in Washington do not result in a writ of restitution—the legal document empowering law enforcement to evict a tenant. Yet, these filings are included on tenants’ screening reports and are then used as grounds to deny housing.

A Scarlet Letter

When a tenant has an eviction record, it amounts to a Scarlet Letter because no matter the outcomes or circumstances, tenants are branded as a problem and many landlords refuse to even consider renting to a tenant with an eviction. This “Scarlet Eviction Letter” will remain on tenants’ screening reports and complicate their access to future housing.

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