



Frequently Asked Questions
Order of Limited Dissemination (OLD)
Washington State Law (ESB 6413) effective date June 9, 2016

Q: What is an Order of Limited Dissemination?

A: A court order signed by a judge that limits an eviction record's use by *tenant screening agencies*.

Q: Will this new law prevent me or other landlords from providing a rental reference for a former tenant who obtained an Order of Limited Dissemination?

A: No, an Order of Limited Dissemination does **not** apply to **landlords, only tenant screening companies**. Landlords can still give a complete and honest statement of facts regarding the former tenant, even if an Order of Limited Dissemination has been entered by the court.

Q: Under what circumstances can a judge enter an Order of Limited Dissemination?

A: If a tenant makes a written request to the court, there are three circumstances under which a judge may enter such an order:

- 1) **Sufficiently without Basis in Fact or Law.** For example, if the wrong defendant is named in the eviction petition, or if service of the eviction action is improper, the court may enter an Order of Limited Dissemination.
- 2) **Payment after Judgment.** In the rare instance that a tenancy is reinstated, wherein the tenant pays all of the judgment, attorney's fees, and costs within 5 days allowed by law, the court could enter an Order of Limited Dissemination.
- 3) **Other Good Cause.** In this case a judge must be satisfied that a tenant has proven their unique circumstances outweigh a future landlord's interest in learning about a prior eviction record.

Q: What if the landlord and tenant settle the eviction case without a court hearing, will there be an Order of Limited Dissemination entered by the court?

A: *If the tenant makes a written request for such an order*, the judge must decide if the tenant has satisfied one of the three abovementioned circumstances to enter an Order of Limited Dissemination.

Q: Can a tenant request an Order of Limited Dissemination for an eviction action that was completed **before** the new law goes into effect?

A: The law does not prohibit a tenant from seeking an Order of Limited Dissemination for an eviction action completed prior to the effective date of the new law (June 9, 2016). The tenant must meet the abovementioned circumstances as set forth in the new law to succeed in receiving the order.

The information provided in this document is given for general guidance only and should not be considered legal advice. You are encouraged to consult your legal counsel or call our office directly if you have any questions.