

ORCA ALERT!!!

Please Read and Respond by January 31st, 2007

Below is an excerpt of the “Legal Opinion” written by Christopher T. Benis of the Law Offices of Harrison, Benis & Spence, LLP. For two years Orca has been assisting landlords with challenges they face when threatened with “discrimination” charges because one screening fee charged for “married couples” where all other applicants whether “partners” or not are charged individually. Clients need to be informed of this serious matter.

Joseph Puckett, of Puckett & Redford P.L.L. C. and Chris Benis, both leading attorneys in Landlord Tenant Law in the state of Washington are recommending landlords avoid possible litigation over such a matter by eliminating the “married couple” application fee.

Legal Opinion

Question: Do we (Orca) agree with the proposition that landlords who charge a screening or application fee must charge per person, as opposed to per married couple (for married applicants)?

Answer & Recommendation: Even prior to the recent change in protected classes in Washington, discrimination on the basis of marital status was prohibited. However, the recent addition of sexual orientation to the list of protected classes in Washington muddies the waters to a certain extent. You need to be sure that any policies that you have are the same whether someone is in a same sex relationship or not.

...the safest course is to charge per person applying...this is what I am recommending.

Read Below - Please Respond:

Mark off one of the following choices listed below and fax it back to 800-522-6722 or scan and e-mail your choice.

_____ Please send New Applications (for only individual applicants) to us. All applicants will be screened as individuals.

OR

_____ Please send us the “Hold Orca Harmless Waiver”. I/We will read, sign and send it back. I/We choose to continue charging married applicants a different screening fee than individual applicants.

Building/Landlord/Company Name: _____

Mailing Address: _____

Note: For the complete version of this Legal Opinion go to www.orcainformation.com It is listed on the front page.

You can also obtain applications in both English and Spanish on our website.