



# ORCA TALES



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Tenant Background Investigations

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## NEW DRUG ADDENDUM FORM AVAILABLE ONLINE!

[Click here](http://www.orcainfo-com.com/uploads/DrugAddendum.pdf) or go to <http://www.orcainfo-com.com/uploads/DrugAddendum.pdf>

Form Provided by Pierce County NARPM

### CRIME FREE/DRUG FREE RENTAL/LEASE ADDENDUM

In consideration of the execution or renewal of a lease agreement of the dwelling unit/premises identified in the lease agreement, Owner/Landlord or Management Agent, acting on behalf of Owner/Landlord, and Resident/Tenant agree as follows:

**Neither the Resident/Tenant, nor any member of Resident/Tenant's household, nor a guest nor any other person under Resident/Tenant's control shall engage in criminal activity, including drug-related criminal activity, on or near the leased premises. Neither the Resident/Tenant, nor any member of Resident/Tenant's household, nor a guest nor any other person under Resident/Tenant's control shall permit the dwelling unit/premises to be used for criminal activity, including drug-related criminal activity, regardless of whether the individual engaged in such activity is a member of the household, or a guest.**

Drug-related criminal activity is strictly prohibited. Criminal activity is also prohibited. These activities are prohibited within the dwelling unit, near the dwelling unit, or upon the property controlled by the Management Agent, which includes the parking area, ingress and egress areas, and all other common areas. Drug-related criminal activity or criminal activity is a material breach of the rental agreement and is CAUSE FOR TERMINATION OF THE TENANCY.

Drug-related criminal activity includes, but is not limited to, any behavior which violates the Uniform Controlled Substance Act of the Revised Code of Washington (RCW 69.41, 69.51, 69.51A, 69.52) *or* the Federal Controlled Substance Act (21 USC Section 802). **Because Marijuana is presently recognized as a controlled substance under federal law, its personal use, whether for medically-related purposes or not, manufacture (growth), distribution, sale, possession, storage, or handling is PROHIBITED within the dwelling unit, near the dwelling unit (or any accessory buildings, such as the garage), and all other common areas.**

1. Drug-related criminal activity includes, but is not limited to: the manufacturing, distribution, sale, possession, storage, possession with intent to manufacture, or dispensing of a controlled substance or a counterfeit substance, INCLUDING BUT NOT LIMITED TO MARIJUANA. Drug-related criminal activity may also include *the attempt* to manufacture, distribute, or possess a controlled substance or counterfeit substance, INCLUDING BUT NOT LIMITED TO MARIJUANA. Drug-related criminal activity may also include the possession or storage of materials known as "precursors," that is, materials used to manufacture or used in the attempt to manufacture controlled substances.
2. Criminal activity includes, but is not limited to, the following behavior: prostitution (RCW 9A.88); criminal street gang activity (RCW 9A.84); threatening or intimidating others (RCW 9A.46); assault (RCW 9A.36 and 9A.44); the unlawful use of a firearm or other weapon (RCW 9A.41); damage to property (RCW 9A.48); theft of property (RCW 9A.56); burglary or car prowls (RCW 9A.40); or any other nuisance-type activities.
3. It shall also be a material breach of the lease agreement if there is behavior that otherwise violates the lease agreement or if there is behavior that jeopardizes the health, safety and welfare of the Owner/Landlord, his Management Agent and/or employees, or others living or visiting the property.
4. Resident/Tenant agrees that the Resident/Tenant is responsible for his or her own behavior, the behavior of any member of the Resident/Tenant's household, or guest or any other person the Resident/Tenant has control over, or should reasonably have control over.
5. It shall be a material violation of the rental agreement if any of these described persons commit a crime, attempt to commit a crime or help others commit a crime either within the residence or upon the property controlled by Management, or if the dwelling unit is used by anyone to engage in any prohibited behavior.
6. A single violation of any provisions of this addendum shall be deemed a serious and material violation of the lease agreement and shall cause the immediate termination of the lease. There is no "good cause" requirement in Washington for lease terminations. A criminal conviction is not required as proof of violation. Proof of violation by a preponderance of the evidence is required. The process for termination and or eviction shall be controlled by the Municipal Code, if any, applicable to the dwelling unit/premises and the Revised Code of Washington.
7. In case of conflict between the provisions of this addendum and the lease, the provisions of the addendum shall govern.

The ADDENDUM is incorporated into the lease upon execution by the Resident/Tenant and Management Agent upon initial leasing of the dwelling unit or upon renewal of the lease.

**FAILURE TO COMPLY WITH THE TERMS OF YOUR LEASE, INCLUDING BUT NOT LIMITED TO THIS ADDENDUM, WILL RESULT IN THE IMMEDIATE ISSUANCE OF A 3 DAY OR 10 DAY NOTICE TO QUIT/VACATE THE PREMISES CONSISTENT WITH APPLICABLE LAW.**

\_\_\_\_\_  
Tenant Signature

Dated: \_\_\_\_\_

Company Name: \_\_\_\_\_

As Management Agent By: \_\_\_\_\_

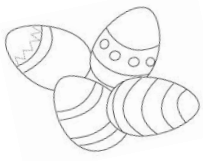
Dated: \_\_\_\_\_

00602191

\_\_\_\_\_  
Tenant Signature

Dated: \_\_\_\_\_

Its: \_\_\_\_\_



## Using Social Media for Pre-Employment Checks

By Julia R. Dippold, Island HR Solutions, Email: [islandhrsolutions@yahoo.com](mailto:islandhrsolutions@yahoo.com)

You reviewed the resume. You conducted the interview. Have you ever been tempted to check an applicant's social media page/s before making a hiring decision? Be careful. Looking through an applicant's (or current employee's) social media page without their permission makes an employer vulnerable to a discrimination claim. It's much more difficult to defend against a discrimination claim when you have obtained information that cannot be used to make an employment-based decision. Information such as religious beliefs, political opinions, race, ethnicity, age, medical conditions; all of these are often readily available on a social media page, and cannot be used to make an employment decision.

On April 28, 2013 a bill was passed in Washington State that "prohibits employers, as a condition of employment or continued employment, from requiring an employee or prospective employee to submit or give access to social networking account information that is not in the public domain." In other words, you can ask someone for their Facebook or Twitter, etc. password, but if they say no, you can't insist they provide it, and you can't use that choice as a decision making tool for hiring or continued employment decisions.

It is still legal for an employer to search the internet and social media pages for information that is publicly available. As mentioned above though, be aware that this makes a company vulnerable to discrimination suits.

When it comes to using social media as a means of pre-employment checks, be careful. Will any information you find be something that is useful to you in an employment decision? If not, you may want to consider using solely a traditional pre-employment background check through a reputable agency.

(Information for this article was obtained from the Washington State Legislature at [apps.leg.wa.gov](http://apps.leg.wa.gov), and from a SHRM article, "The Risks of Pre-employment Social Media Screening" by Gregory M. Saylin and Tyson C. Horrocks.

This article is intended as information, and is not a substitute for legal or other professional advice.



*The Orca Pod would like to wish everyone a Happy Easter!*

