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Private vocational schools: Chapter 28C.10 RCW.

Promotional advertising of prizes: Chapter 19.170 RCW.

Radio communications service companies not regulated by utilities and transportation commission: RCW 80.66.010.

Roofing and siding contractors and salespersons: Chapter 19.186 RCW.

Sellers of travel: Chapter 19.138 RCW.

Telephone buyers' protection act: Chapter 19.130 RCW.

Timeshare act: Chapter 64.36 RCW.

Unsolicited goods or services: Chapter 19.56 RCW.

Usurious contracts: RCW 19.52.036.

Water companies exempt from utilities and transportation commission regulation: RCW 80.04.010.

Weatherization of leased or rented residences: RCW 70.164.060.

19.86.010

Definitions.

As used in this chapter:

(1) "Person" shall include, where applicable, natural persons, corporations, trusts, unincorporated associations and partnerships.

(2) "Trade" and "commerce" shall include the sale of assets or services, and any commerce directly or indirectly affecting the people of the state of Washington.

(3) "Assets" shall include any property, tangible or intangible, real, personal, or mixed, and wherever situate, and any other thing of value.

[1961 c 216 § 1.]



19.86.020

Unfair competition, practices, declared unlawful.

Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.

[1961 c 216 § 2.]

Notes:

Hearing instrument dispensing, advertising, etc. -- Application: RCW 18.35.180.

19.86.023

Violation of rcw 15.86.030 constitutes violation of rcw 19.86.020.

Any violation of RCW

public and private enforcement of the unfair business practices-consumer protection act, chapter 19.86 RCW, and to repeal the unfair practices act, chapter 19.90 RCW, in order to eliminate a statute which is unnecessary in light of the provisions and remedies of chapter 19.86 RCW. In repealing chapter 19.90 RCW, it is the intent of the legislature that chapter 19.86 RCW should continue to provide appropriate remedies for predatory pricing and other pricing practices which constitute violations of federal antitrust law." [1983 c 288 § 1.]



19.86.093

Civil action — unfair or deceptive act or practice — claim elements.

In a private action in which an unfair or deceptive act or practice is alleged under RCW

19.86.020, a claimant may establish that the act or practice is injurious to the public interest because it:

- (1) Violates a statute that incorporates this chapter;
- (2) Violates a statute that contains a specific legislative declaration of public interest impact; or
- (3)(a) Injured other persons; (b) had the capacity to injure other persons; or (c) has the capacity to injure other persons.

[2009 c 371 § 2.]

Notes:

Application -- 2009 c 371: See note following RCW 19.86.090.

19.86.095

Request for injunctive relief — appellate proceeding — service on the attorney general.

In any proceeding in which there is a request for injunctive relief under RCW

19.86.090, the attorney general shall be served with a copy of the initial pleading alleging a violation of this chapter. In any appellate proceeding in which an issue is presented concerning a provision of this chapter, the attorney general shall, within the time provided for filing the brief with the appellate court, be served with a copy of the brief of the party presenting such issue.

[1983 c 288 § 5.]

Notes:

Short title -- Purposes -- 1983 c 288: See note following RCW 19.86.090.

19.86.100

Assurance of discontinuance of prohibited act — approval of court — not considered admission.

In the enforcement of this chapter, the attorney general may accept an assurance of discontinuance of any act or practice deemed in violation of this chapter, from any person engaging in, or who has engaged in, such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the superior court of the county in

violation of RCW 19.86.020: PROVIDED, FURTHER, That actions or transactions specifically permitted within the statutory authority granted to any regulatory board or commission established within Title 18 RCW shall not be construed to be a violation of chapter 19.86 RCW: PROVIDED, FURTHER, That this chapter shall apply to actions and transactions in connection with the disposition of human remains.

RCW 9A.20.010(2) shall not be applicable to the terms of this chapter and no penalty or remedy shall result from a violation of this chapter except as expressly provided herein.

[1977 c 49 § 1; 1974 ex.s. c 158 § 1; 1967 c 147 § 1; 1961 c 216 § 17.]

Notes:

Radio communications: RCW 80.04.530.

Telecommunications: RCW 80.36.360.

19.86.900

Severability — 1961 c 216.

If any provision of this act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

[1961 c 216 § 18.]

19.86.910

Short title.

This act shall be known and designated as the "Consumer Protection Act."

[1961 c 216 § 19.]

19.86.920

Purpose — interpretation — liberal construction — saving — 1985 c 401; 1983 c 288; 1983 c 3; 1961 c 216.



The legislature hereby declares that the purpose of this act is to complement the body of federal law governing restraints of trade, unfair competition and unfair, deceptive, and fraudulent acts or practices in order to protect the public and foster fair and honest competition. It is the intent of the legislature that, in construing this act, the courts be guided by final decisions of the federal courts and final orders of the federal trade commission interpreting the various federal statutes dealing with the same or similar matters and that in deciding whether conduct restrains or monopolizes trade or commerce or may substantially lessen competition, determination of the relevant market or effective area of competition shall not be limited by the boundaries of the state of Washington. To this end this act shall be liberally construed that its beneficial purposes may be served.

It is, however, the intent of the legislature that this act shall not be construed to prohibit acts or practices which are reasonable in relation to the development and preservation of business or which are not injurious to the public interest, nor be construed to authorize those acts or practices which unreasonably restrain trade or are unreasonable per se.

[1985 c 401 § 1; 1983 c 288 § 4; 1983 c 3 § 25; 1961 c 216 § 20.]

Notes:

Reviser's note: "This act" originally appears in 1961 c 216.