

RCW 84.38.100 Lien of state, mortgage or purchase contract holder—Priority—Amount—Interest. Whenever a person's special assessment and/or real property tax obligation is deferred under the provisions of this chapter, the amount deferred and required to be paid pursuant to RCW 84.38.120 becomes a lien in favor of the state upon his or her property and has priority as provided in chapters 35.49, 35.50, 36.35, and 84.60 RCW. However, the interest of a mortgage or purchase contract holder who is required to cosign a declaration of deferral under RCW 84.38.090, has priority to such deferred lien. This lien may accumulate up to eighty percent of the amount of the claimant's equity value in the property and must bear interest at the rate of five percent per year from the time it could have been paid before delinquency until said obligation is paid. However, when taxes are deferred as provided in RCW 84.64.050, the amount must bear interest at the rate of five percent per year from the date the declaration is filed until the obligation is paid or the date that the obligation is charged off as finally uncollectible. In the case of a mobile home, the department of licensing must show the state's lien on the certificate of title for the mobile home. In the case of all other property, the department of revenue must file a notice of the deferral with the county recorder or auditor. [2013 c 221 s 8; 2010 c 161 s 1168; 2006 c 275 s 1; 2000 c 103 s 26; 1988 c 222 s 12; 1984 c 220 s 23; 1981 c 322 s 1; 1975 1st ex.s. c 291 s 35.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Application—2006 c 275: "This act only applies to property tax deferrals granted under RCW 84.38.040 after June 7, 2006, for taxes levied for collection in 2007 and thereafter." [2006 c 275 s 2.]

Finding—DOR report to legislature—2006 c 275: "The legislature finds that the intent of the property tax deferral program is to assist retired persons in maintaining their dignity and a reasonable standard of living by residing in their own homes, providing for their own needs, and managing their own affairs without requiring assistance from public welfare programs. The department of revenue shall review the adequacy and appropriateness of the interest rate provided in RCW 84.38.100 in relation to these objectives. The department shall report its findings to the finance committee of the house of representatives and the ways and means committee of the senate by December 1, 2012." [2006 c 275 s 3.]

Effective date—1984 c 220: See note following RCW 84.38.120.