

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by August 27, 2008. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Office of the Attorney General, Solicitor General Division, Attention James Pharris, Deputy Solicitor General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered. If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the Attorney General's website at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our Opinions ListServ. The Attorney General's Office seeks public input on the following opinion request(s):

Opinion Docket No. 08-07-08

**Request by Honorable Rodney Tom/Roger Goodman
State Senator, 48th District/State Representative, 45th District**

1. Does section 1(3)(a) of HB 2791 apply only to persons who expressly offer to perform a service for a distressed homeowner, and is an offer to purchase a distressed home an offer to perform a service?

2. Do HB 2791's distressed home consulting provisions on disclosure (section 2) and duties (section 3) apply to a real estate licensee in a transaction where the licensee contacts the distressed homeowner's lender to arrange a sale in which the homeowner's debt to the lender will be discharged for the amount of the sale price of the home when that sale price is less than the homeowner owes on the loan (i.e., a short sale)?

3. Do the distressed home consulting provisions of sections 2-3 of HB 2791 apply to a real estate licensee who performs the licensed activities in the ordinary course of real estate business on behalf of a buyer or a seller to a real estate transaction where the property involved is a "distressed home"?

4. Does HB 2791 taken as a whole impliedly impose on real estate licensees a duty to inquire before assisting a party in a real estate transaction whether the property that is being transferred is a "distressed home"?

OFFICE REVIEWER'S OFFICE STATE OF WASHINGTON	
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