

SENATE BILL REPORT

SB 5208

As Passed Senate, March 13, 1995

Title: An act relating to premiums, charges, and costs for title insurance and title searches by sewer and water districts.

Brief Description: Allowing premiums, charges, and costs of title insurance and searches regarding foreclosure of liens for charges by sewer and water districts.

Sponsors: Senators Haugen and Winsley.

Brief History:

Committee Activity: Government Operations: 2/8/95, 3/1/95 [DP].
Passed Senate, 3/13/95, 46-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Drew, Hale, Heavey, McCaslin and Winsley.

Staff: Rod McAulay (786-7754)

Background: Sewer district and water district commissioners may enforce charges against the property served for connection fees, service, penalties and interest. By certifying a delinquency to the county treasurer, the money due becomes a lien which may be foreclosed. There is no requirement that the lien be recorded or that the owner be otherwise notified. The lien may be foreclosed in superior court and an attorney's fee added to the judgment. There is no authority to recover the cost of title searches and title insurance or fees for more than one attorney.

Summary of Bill: If a sewer district or water district forecloses a lien on a customer's property, the district may recover attorneys' fees and the cost of title searches and title insurance.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Significant costs cannot be recovered without statutory authority.

Testimony Against: None.

Testified: Tim Schellberg, Gary Olsen, WA State Sewer and Water Assn. (pro).

