
HOUSE BILL 2008

State of Washington

54th Legislature

1995 Regular Session

By Representative Casada

Read first time 02/21/95. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to changing the nature of liens on a single-family
2 dwelling for utility and other service from in rem to in personam if
3 the dwelling is sold; adding a new section to chapter 35.21 RCW; adding
4 a new section to chapter 35.67 RCW; adding a new section to chapter
5 36.36 RCW; adding a new section to chapter 36.89 RCW; adding a new
6 section to chapter 36.94 RCW; adding a new section to chapter 56.16
7 RCW; adding a new section to chapter 57.08 RCW; and adding a new
8 section to chapter 87.03 RCW.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
11 to read as follows:

12 The in rem lien on a single-family dwelling, that is established
13 under RCW 35.21.290 on delinquent and unpaid charges for utility
14 service provided to the single-family dwelling, shall be extinguished
15 on the closing date of the sale of the single-family dwelling and the
16 lien shall be converted into an in personam lien on both the seller of
17 the dwelling and the person who had contracted with the city or town
18 for utility service to the sale of the dwelling. The term "single-

1 family dwelling" includes the lot or parcel on which the single-family
2 dwelling is located.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.67 RCW
4 to read as follows:

5 The in rem lien on a single-family dwelling, that is established
6 under RCW 35.67.200 on delinquent and unpaid rates and charges for
7 sewer service provided to the single-family dwelling and for delinquent
8 and unpaid connection charges, and for penalties levied under RCW
9 35.67.190, shall be extinguished on the closing date of the sale of the
10 single-family dwelling and the lien shall be converted into an in
11 personam lien on both the seller of the dwelling and the person who had
12 contracted with the city or town for sewer service prior to the sale of
13 the dwelling. The term "single-family dwelling" includes the lot or
14 parcel on which the single-family dwelling is located.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.36 RCW
16 to read as follows:

17 The in rem lien on a single-family dwelling, that is established
18 under RCW 36.36.045 on delinquent fees imposed on the single-family
19 dwelling for the withdrawal of subterranean water or on-site sewage
20 disposal, shall be extinguished on the closing date of the sale of the
21 single-family dwelling and the lien shall be converted into an in
22 personam lien on the seller of the dwelling. The term "single-family
23 dwelling" includes the lot or parcel on which the single-family
24 dwelling is located.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.89 RCW
26 to read as follows:

27 The in rem lien on a single-family dwelling, that is established
28 under RCW 36.89.090 on delinquent rates and charges for the provision
29 of storm water control sewer service and facilities provided to the
30 single-family dwelling, shall be extinguished on the closing date of
31 the sale of the single-family dwelling and the lien shall be converted
32 into an in personam lien on the seller of the dwelling. The term
33 "single-family dwelling" includes the lot or parcel on which the
34 single-family dwelling is located.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.94 RCW
2 to read as follows:

3 The in rem lien on a single-family dwelling, that is established
4 under RCW 36.94.150 on delinquent connection charges and delinquent
5 rates and charges for the availability of sewerage services, water
6 services, or both to the single-family dwelling, shall be extinguished
7 on the closing date of the sale of the single-family dwelling and the
8 lien shall be converted into an in personam lien on both the seller of
9 the dwelling and the person who had contracted with the county for
10 sewer or water service prior to the sale of the dwelling. The term
11 "single-family dwelling" includes the lot or parcel on which the
12 single-family dwelling is located.

13 NEW SECTION. **Sec. 6.** A new section is added to chapter 56.16 RCW
14 to read as follows:

15 The in rem lien on a single-family dwelling, that is established
16 under RCW 56.16.100 on delinquent sewer connection charges and
17 delinquent charges for sewerage disposal service available to the
18 single-family dwelling, shall be extinguished on the closing date of
19 the sale of the single-family dwelling and the lien shall be converted
20 into an in personam lien on both the seller of the dwelling and the
21 person who had contracted with the utility for sewer service prior to
22 the sale of the dwelling. The term "single-family dwelling" includes
23 the lot or parcel on which the single-family dwelling is located.

24 NEW SECTION. **Sec. 7.** A new section is added to chapter 57.08 RCW
25 to read as follows:

26 The in rem lien on a single-family dwelling, that is established
27 under RCW 57.08.080 on delinquent connection charges and delinquent
28 rates and charges for water supplied to the single-family dwelling,
29 shall be extinguished on the closing date of the sale of the single-
30 family dwelling and the lien shall be converted into an in personam
31 lien on both the seller of the dwelling and the person who had
32 contracted with the water district for water service prior to the sale
33 of the dwelling. The term "single-family dwelling" includes the lot or
34 parcel on which the single-family dwelling is located.

35 NEW SECTION. **Sec. 8.** A new section is added to chapter 87.03 RCW
36 to read as follows:

1 The in rem lien on a single-family dwelling, that is established
2 under RCW 87.03.445 on delinquent tolls and charges for the
3 availability of water, power, or drainage or sewerage service to the
4 single-family dwelling, shall be extinguished on the closing date of
5 the sale of the single-family dwelling and the lien shall be converted
6 into an in personam lien on both the seller of the dwelling and the
7 person who had contracted with the irrigation district for the water,
8 power, drainage or sewerage service prior to the sale of the dwelling.
9 The term "single-family dwelling" includes the lot or parcel on which
10 the single-family dwelling is located.

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