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ENGROSSED SUBSTITUTE HOUSE BILL 1603

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State of Washington

55th Legislature

1997 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Clements, McMorris, Honeyford, L. Thomas, Mielke and Sullivan)

Read first time 03/05/97.

1 AN ACT Relating to residential real property transfers; and adding  
2 new sections to chapter 64.06 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 64.06 RCW  
5 to read as follows:

6 In a transaction for the sale of new single-family, detached  
7 residential real property, the seller or seller's agent shall deliver  
8 to the buyer a lien information statement, unless the buyer expressly  
9 waives the right to receive the statement, or unless the transfer is  
10 exempt under RCW 64.06.010 (1) through (6). The seller or seller's  
11 agent shall deliver to the buyer the lien information statement by the  
12 fifth business day after deposit of any earnest money by the buyer, or  
13 preliminary contract between the buyer and the seller for the purchase  
14 and sale of single-family, detached residential real property. Upon  
15 delivery, the seller or seller's agent shall read the lien information  
16 statement to the buyer, and both the buyer and seller or seller's agent  
17 shall date and sign the statement. The lien information statement must  
18 be substantially in the following form using bold, upper-case twelve-  
19 point type, underlined, where appropriate:

1                                   **INSTRUCTIONS TO THE BUYER:**

2   **READ THIS NOTICE CAREFULLY.** FOR YOUR PROTECTION YOU MUST DATE AND SIGN THIS LIEN  
3 INFORMATION STATEMENT. DELIVERY OF THIS STATEMENT BY THE SELLER OF THE PROPERTY  
4 DESCRIBED BELOW MUST OCCUR BY THE FIFTH (5TH) BUSINESS DAY, UNLESS OTHERWISE AGREED  
5 WITH THE SELLER, AFTER MUTUAL ACCEPTANCE OF A WRITTEN CONTRACT TO PURCHASE BETWEEN  
6 YOU AND THE SELLER.

7                                   **PROTECT YOURSELF FROM PAYING TWICE**

8   SELLER:

9   BUYER:

10 RE: (DESCRIPTION OF PROPERTY: STREET ADDRESS OR GENERAL LOCATION.)  
11 UNDER WASHINGTON LAW, THOSE WHO FURNISHED LABOR, PROFESSIONAL SERVICES, MATERIALS,  
12 OR EQUIPMENT FOR THE CONSTRUCTION, REPAIR, REMODEL, OR ALTERATION OF THE ABOVE-  
13 DESCRIBED PROPERTY, AND WHO WERE NOT PAID, HAVE A RIGHT TO ENFORCE THEIR CLAIM FOR  
14 PAYMENT AGAINST THE PROPERTY DESCRIBED ABOVE. THIS CLAIM IS KNOWN AS A  
15 CONSTRUCTION LIEN.

16 **WE RECOMMEND THAT YOU DISCUSS ADDITIONAL TITLE INSURANCE OPTIONS, SUCH AS A RIDER**  
17 **OR AN EXTENDED POLICY, WITH YOUR TITLE INSURANCE COMPANY TO PROTECT YOU FROM**  
18 **LIABILITY FOR LEGALLY FILED LIENS AGAINST YOUR PROPERTY OF WHICH YOU MAY NOT BE**  
19 **AWARE.** TO FIND OUT HOW THE LIEN LAW WORKS, YOU MAY CALL THE CONSUMER PROTECTION  
20 DIVISION OF THE ATTORNEY GENERAL’S OFFICE AT TELEPHONE NUMBER 1-800-551-4636 (TTY  
21 1-800-276-9883).

22                                   **Acknowledgment of seller:**

23 As seller(s) or agent of seller(s), I/we delivered this lien disclosure  
24 statement to the buyer named above and acknowledge that this statement  
25 was read to the buyer(s).

26 Seller/Seller’s Agent: \_\_\_\_\_

27 Date: \_\_\_\_\_

28 Address: \_\_\_\_\_

29 Telephone: \_\_\_\_\_

30                                   **Acknowledgment of buyer:**

31 As buyer(s), I/we acknowledge receipt of this lien information  
32 statement that was read to us by the seller or seller’s agent.

33 Buyer: \_\_\_\_\_

34 Address: \_\_\_\_\_

35 Telephone: \_\_\_\_\_

36                   NEW SECTION. **Sec. 2.** A new section is added to chapter 64.06 RCW  
37 to read as follows:

1       The lien information statement required under section 1 of this act  
2 is for information only and shall not be considered part of any written  
3 agreement between the buyer and seller of residential real property.

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