

HB 1683 - DIGEST

Provides that, prior to a determination of forfeiture of real property under RCW 69.50.505 and upon a motion by the seizing agency, the court may issue orders to prevent and restrain a person from permitting foreclosure on the property and from committing or permitting waste on the property. The orders issued under this act may include, but are not limited to, restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, or other restraints as the court deems proper. The orders may also include attachment, receivership, the appointment of custodians, accountants, or trustees, or any other action to ensure the maintenance and preservation of the real property subject to forfeiture under RCW 69.50.505.

Provides that the court may issue an order under this act when it determines that: (1) There is a substantial probability that the seizing agency will prevail on the issue of forfeiture and that failure to enter the order would likely result in the property being damaged, subject to foreclosure, or otherwise be unavailable for forfeiture; and

(2) The need to preserve the availability of the property through the issuance of the court order outweighs the hardship on any party against whom the order may operate.