

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1826

Chapter 122, Laws of 2009

61st Legislature
2009 Regular Session

FORECLOSURE SALES--PROCEEDS

EFFECTIVE DATE: 07/26/09

Passed by the House March 3, 2009
Yeas 96 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 8, 2009
Yeas 46 Nays 0

BRAD OWEN

President of the Senate

Approved April 17, 2009, 3:14 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1826** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 20, 2009

**Secretary of State
State of Washington**

HOUSE BILL 1826

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Representatives Rodne, Pedersen, and Santos

Read first time 01/30/09. Referred to Committee on Judiciary.

1 AN ACT Relating to the proceeds from foreclosure sales; and
2 amending RCW 61.12.150.

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

4 **Sec. 1.** RCW 61.12.150 and Code 1881 s 617 are each amended to read
5 as follows:

6 If the mortgaged premises cannot be sold in parcels, the court
7 shall order the whole to be sold, and the proceeds of the sale shall be
8 applied first to the payment of the principal due, interest and costs,
9 and then to the residue secured by the mortgage and not due; and if the
10 residue does not bear interest, a deduction shall be made therefrom by
11 discounting the legal interest(~~(+and)~~). In all cases where the
12 proceeds of the sale ((shall be)) are more than sufficient to pay the
13 amount due and costs, the surplus shall be applied to all interests in,
14 or liens or claims of liens against, the property eliminated by sale
15 under this section in the order of priority that the interest, lien, or
16 claim attached to the property. Any remaining surplus shall be paid to
17 the mortgage debtor, his or her heirs and assigns.

Passed by the House March 3, 2009.

Passed by the Senate April 8, 2009.

Approved by the Governor April 17, 2009.

Filed in Office of Secretary of State April 20, 2009.