

**RCW 62A.9A-611 Notification before disposition of collateral.**  
**(Effective until January 1, 2024.)** (a) "Notification date." In this section, "notification date" means the earlier of the date on which:

- (1) A secured party sends to the debtor and any secondary obligor an authenticated notification of disposition; or
- (2) The debtor and any secondary obligor waive the right to notification.

(b) **Notification of disposition required.** Except as otherwise provided in subsection (d) of this section, a secured party that disposes of collateral under RCW 62A.9A-610 shall send to the persons specified in subsection (c) of this section a reasonable authenticated notification of disposition.

(c) **Persons to be notified.** To comply with subsection (b) of this section, the secured party shall send an authenticated notification of disposition to:

- (1) The debtor;
- (2) Any secondary obligor; and
- (3) If the collateral is other than consumer goods:
  - (A) Any other secured party or lienholder that, ten days before the notification date, held a security interest in or other lien on the collateral perfected by the filing of a financing statement that:
    - (i) Identified the collateral;
    - (ii) Was indexed under the debtor's name as of that date; and
    - (iii) Was filed in the office in which to file a financing statement against the debtor covering the collateral as of that date; and
  - (B) Any other secured party that, ten days before the notification date, held a security interest in the collateral perfected by compliance with a statute, regulation, or treaty described in RCW 62A.9A-311(a).

(d) **Subsection (b) of this section inapplicable: Perishable collateral; recognized market.** Subsection (b) of this section does not apply if the collateral is perishable or threatens to decline speedily in value or is of a type customarily sold on a recognized market.

(e) **Compliance with subsection (c) (3) (A) of this section.** A secured party complies with the requirement for notification prescribed by subsection (c) (3) (A) of this section if:

- (1) Not later than twenty days or earlier than thirty days before the notification date, the secured party requests, in a commercially reasonable manner, information concerning financing statements indexed under the debtor's name in the office indicated in subsection (c) (3) (A) of this section; and
- (2) Before the notification date, the secured party:
  - (A) Did not receive a response to the request for information; or
  - (B) Received a response to the request for information and sent an authenticated notification of disposition to each secured party or other lienholder named in that response whose financing statement covered the collateral. [2011 c 74 § 724; 2000 c 250 § 9A-611.]

**Application—Effective date—2011 c 74:** See notes following RCW 62A.9A-102.

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(3) If the collateral is other than consumer goods:

(A) Any other secured party or lienholder that, 10 days before the notification date, held a security interest in or other lien on the collateral perfected by the filing of a financing statement that:

(i) Identified the collateral;

(ii) Was indexed under the debtor's name as of that date; and

(iii) Was filed in the office in which to file a financing statement against the debtor covering the collateral as of that date; and

(B) Any other secured party that, 10 days before the notification date, held a security interest in the collateral perfected by compliance with a statute, regulation, or treaty described in RCW 62A.9A-311(a).

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(e) **Compliance with subsection (c) (3) (A) of this section.** A secured party complies with the requirement for notification prescribed by subsection (c) (3) (A) of this section if:

(1) Not later than 20 days or earlier than 30 days before the notification date, the secured party requests, in a commercially reasonable manner, information concerning financing statements indexed under the debtor's name in the office indicated in subsection (c) (3) (A) of this section; and

(2) Before the notification date, the secured party:

(A) Did not receive a response to the request for information; or

(B) Received a response to the request for information and sent a signed notification of disposition to each secured party or other lienholder named in that response whose financing statement covered the collateral. [2023 c 266 § 941; 2011 c 74 § 724; 2000 c 250 § 9A-611.]

**Construction—Effective date—2023 c 266:** See notes following RCW 62A.12-101.

**Application—Effective date—2011 c 74:** See notes following RCW 62A.9A-102.