

RCW 61.12.190 Mortgages, deeds of trust. Except as otherwise provided in chapter 60.04 RCW, any mortgage or deed of trust shall be prior to all liens, mortgages, deeds of trust, and other encumbrances that have not been recorded before the recording of the mortgage or deed of trust to the extent of all sums secured by the mortgage or deed of trust regardless of when the same are disbursed or whether the disbursements are obligatory. [2023 c 76 § 2.]

Intent—2023 c 76: "It is the intent of the legislature to clarify that the first in time, first in right rule of priority applies to all mortgages and deeds of trust and any future advances thereunder without regard to whether such future advances are optional or obligatory. It is not the intent of the legislature to repeal any other statute that expressly provides for special priority over mortgages and deeds of trust." [2023 c 76 § 1.]

Retroactive application—2023 c 76: "This act applies to all causes of action commenced on or after July 23, 2023, regardless of when the cause of action arose. To this extent, this act applies retroactively, but in all other respects it applies prospectively." [2023 c 76 § 3.]