
SENATE BILL 6633

State of Washington

56th Legislature

2000 Regular Session

By Senators McCaslin and Winsley

Read first time 01/21/2000. Referred to Committee on Commerce, Trade, Housing & Financial Institutions.

1 AN ACT Relating to reconveying mortgages and deeds of trust; and
2 amending RCW 61.16.020, 61.16.030, and 61.24.110.

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

4 **Sec. 1.** RCW 61.16.020 and 1995 c 62 s 14 are each amended to read
5 as follows:

6 Whenever the amount due on any mortgage is paid, the mortgagee or
7 the mortgagee's legal representatives or assigns shall, ~~((at the~~
8 ~~request of any person interested in the property mortgaged))~~ within
9 sixty days, execute an instrument in writing referring to the mortgage
10 by the volume and page of the record or otherwise sufficiently
11 describing it and acknowledging satisfaction in full thereof. ~~((Said))~~
12 The instrument shall be duly acknowledged, and ~~((upon request))~~ shall
13 be recorded in the county wherein the mortgaged property is situated.
14 Every instrument of writing ~~((heretofore))~~ recorded before the
15 effective date of this act and purporting to be a satisfaction of
16 mortgage, which sufficiently describes the mortgage which it purports
17 to satisfy so that the same may be readily identified, and which has
18 been duly acknowledged before an officer authorized by law to take
19 acknowledgments or oaths, is hereby declared legal and valid, and a

1 certified copy of the record thereof is hereby constituted prima facie
2 evidence of such satisfaction.

3 **Sec. 2.** RCW 61.16.030 and 1999 c 233 s 8 are each amended to read
4 as follows:

5 If the mortgagee fails to acknowledge satisfaction of the mortgage
6 as provided in RCW 61.16.020 sixty days from the date (~~of such request~~
7 ~~or demand~~) paid, the mortgagee shall forfeit and pay to the mortgagor
8 damages and a reasonable attorneys' fee, to be recovered in any court
9 having competent jurisdiction, and (~~said~~) the court, when convinced
10 that (~~said~~) the mortgage has been fully satisfied, shall issue an
11 order in writing, directing the auditor to immediately record the
12 order.

13 **Sec. 3.** RCW 61.24.110 and 1998 c 295 s 13 are each amended to read
14 as follows:

15 The trustee shall reconvey all or any part of the property
16 encumbered by the deed of trust to the person entitled thereto (~~on~~
17 ~~written request of the beneficiary, or upon~~) within sixty days of
18 satisfaction of the obligation secured (~~and written request for~~
19 ~~reconveyance made by the beneficiary or the person entitled thereto~~).
20 The reconveyance shall be recorded in the county where the property is
21 located.

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