
**Fisheries, Ecology & Parks
Committee**

HB 1513

Brief Description: Selling or leasing contaminated property.

Sponsors: Representatives Darneille, Campbell, Schual-Berke, Sullivan, Berkey, McDermott and Santos.

Brief Summary of Bill

- Expands the definition of contaminated property to include storage units, recreational vehicles and motor homes for purposes of disclosing property involved in the unauthorized manufacture or storage of hazardous chemicals.
- Requires the seller or lessor of decontaminated property that is not real property to provide a copy of the release for reuse document to the purchaser.

Hearing Date: 2/18/03

Staff: Jeff Olsen (786-7157).

Background:

Law enforcement agencies are required to notify local health officers if they are aware that a property has been contaminated with toxic chemicals used to manufacture illegal drugs. Contaminated properties include but are not limited to single-family residences, units of multiplexes, condominiums, apartment buildings, boats, motor vehicles, trailers, manufactured housing, or any shop, booth or garden. Local health officers are authorized to post notices of contamination, order inspections, and report all contamination cases to the Department of Health (DOH). Local health officers may also prohibit the use of contaminated properties.

An owner of contaminated property who wishes to have the property decontaminated must use the services of a contractor who is certified by the DOH to perform the decontamination unless otherwise authorized by the local health officer. If the decontamination is completed and the property is retested according to a work plan approved by the local health officer, a release for reuse is recorded in the real property records indicating that the property has been

decontaminated.

Summary of Bill:

The definition of contaminated property involved in the unauthorized manufacture or storage of hazardous chemicals is expanded to include storage units, recreational vehicles and motor homes. The seller or lessor of decontaminated property that is not real property is required to provide a copy of the release for reuse document to the purchaser or lessee. Purchasers or lessors of formerly contaminated properties that were not informed by the seller have the right of rescission and may recover under RCW 19.86 (Unfair Business Practices-Consumer Protection).

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.