Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Judiciary Committee

HB 2673

Title: An act relating to judgment liens.

Brief Description: Concerning recoverable costs from the recording of certain judgment liens.

Sponsors: Representatives Sawyer and Shea.

Brief Summary of Bill

- Provides that any fee for recording a judgment as a lien on the non-exempt value of a homestead property is a recoverable cost by the judgment creditor.

Hearing Date: 2/2/16

Staff: Omeara Harrington (786-7136).

Background:

Upon entry, a judgment may become a lien on non-exempt real property owned or later acquired by the judgment debtor.

A homestead consists of real or personal property used as a residence. Generally, a homestead is exempt from attachment and execution or forced sale for the debts of the owner up to a certain amount. The homestead exemption is up to $125,000 in the case of lands and up to $15,000 in the case of personal property. A judgment against the owner of a homestead may be recorded as a lien on the value of the homestead property in excess of the homestead exemption.

A lien on the non-exempt portion of homestead property commences at the time the judgment creditor records the judgment with the recording officer of the county where the property is located. County auditors and recorder's offices are required to charge specified statutory document recording fees and surcharges for recording documents.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Any fee charged for recording a judgment lien against the non-exempt value of a homestead property is a recoverable cost by the judgment creditor.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.