
SUBSTITUTE HOUSE BILL 1353

State of Washington

69th Legislature

2025 Regular Session

By House Local Government (originally sponsored by Representatives Ramel, Duerr, Reed, Doglio, and Nance)

READ FIRST TIME 02/13/25.

1 AN ACT Relating to establishing a self-certification program for
2 accessory dwelling unit project permit applications; adding a new
3 section to chapter 36.70A RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A
6 RCW to read as follows:

7 (1) Cities planning under this chapter may, in compliance with
8 the conditions set forth in subsection (2) of this section, operate a
9 self-certification program to allow for registered architects as
10 provided for in chapter 18.08 RCW to self-certify compliance with
11 applicable building code requirements for the construction or
12 development of one or more detached accessory dwelling units on a
13 residential property. If a permit application has been self-
14 certified, then the city reviewing the permit application may
15 consider the application to be in compliance with applicable building
16 code requirements without the need for additional review after
17 determining that it is procedurally complete pursuant to RCW
18 36.70B.070. A permit issued after a permit review that includes a
19 self-certified component shall have the same effect as a permit
20 issued after full project permit review under chapter 36.70B RCW.

1 (2) (a) A city must adopt rules for its self-certification
2 program. These rules must consist of, at a minimum:

3 (i) Any professional requirements, other than the registration
4 required in subsection (1) of this section, that must be met in order
5 for an architect to qualify for the self-certification program within
6 the city;

7 (ii) Requirements for random audits of self-certified program
8 permit applications, utilizing any randomization process the city
9 deems appropriate, to ensure that submissions are satisfying
10 applicable building code requirements, including that a minimum 20
11 percent of applications, or five applications, whichever is fewer,
12 must be audited each calendar year in addition to any additional
13 nonrandom audits the city deems necessary;

14 (iii) Penalties for project permits that fail an audit, including
15 any appropriate financial penalties and a requirement that an
16 architect who has submitted an application that has failed an audit
17 be temporarily prohibited from participating in the self-
18 certification program for a period of not less than one year and that
19 the submission of a second application that fails an audit within
20 five years of a preceding submission that failed an audit will result
21 in a permanent prohibition on participation in the self-certification
22 program, and provisions for administrative hearing procedures to
23 resolve any disputes over the results of an audit or resulting
24 penalties;

25 (iv) Requirements that architects participating in the program
26 maintain an appropriate level of professional liability insurance
27 coverage as determined by the city.

28 (b) A city may adopt any additional rules, and may exceed the
29 minimum rules in this subsection, as the city deems appropriate.

30 (3) A city operating a self-certification program must create a
31 self-certification form that includes, at a minimum:

32 (a) An attestation that the architect certifying the permit
33 application will correct any false or inaccurate statements within
34 the application as soon as they become known to the architect;

35 (b) An acknowledgment that participation in the program is
36 conditional upon the accuracy of the architect's certification, and
37 that discovery of inaccuracies, insufficiencies, or errors during an
38 audit may result in suspension or termination from the self-
39 certification program;

1 (c) An agreement, signed by the property owner, the owner or
2 authorized representative of the company that will construct the
3 accessory dwelling unit for which the permit has been submitted, and
4 the certifying architect, to protect, defend, indemnify, and hold
5 harmless the city for any claims or injuries connected with the
6 design or construction of the accessory dwelling unit for which the
7 self-certification program permit application was submitted, or for
8 the issuance of a project permit pursuant to the self-certification
9 program; and

10 (d) An acknowledgment from the property owner for whom the
11 project permit is submitted that the property owner has authorized
12 the architect to submit the self-certification project permit
13 application and that the owner has the responsibility and obligation
14 to correct, at the owner's expense, any nonconformities with the
15 applicable building code requirements within a reasonable period
16 after such nonconformities are discovered.

17 (4) (a) Cities utilizing a self-certification program must notify
18 the department whenever any penalty is imposed on an architect
19 because of a failed audit under this section.

20 (b) The department shall maintain a database that is accessible
21 to cities of architects that are currently subject to penalties
22 within a city because of a failed audit under this section. No city
23 shall accept a self-certified project permit application from an
24 architect that is currently subject to penalties because of a failed
25 audit under this section in another city.

26 (5) (a) Any city operating a self-certification program shall
27 submit a report on its program to the department by July 31, 2028.
28 The report must include, at a minimum:

29 (i) The number of projects within the city for which a self-
30 certification was submitted;

31 (ii) The number of such projects for which a permit was issued;

32 (iii) The average length of time, excluding any periods in which
33 the city is awaiting additional information from an applicant, in
34 which the applicant has requested that review of the application be
35 suspended, or in which an administrative appeal is pending, from
36 project permit submission for detached accessory dwelling units to
37 the issuance of the project permit within the city for both self-
38 certified project permit applications and nonself-certified project
39 permit applications; and

1 (iv) The results of any audits of self-certified project permit
2 applications undertaken by the jurisdiction.

3 (b) The department shall submit a report to the appropriate
4 committees of the legislature by December 31, 2028, summarizing the
5 information received from cities pursuant to (a) of this subsection.

6 (6) For the purposes of this section, "building code" means the
7 state building code, the state energy code, and any local building,
8 electrical, plumbing, mechanical, or fire codes. It does not include
9 any utility connection requirements.

10 NEW SECTION. **Sec. 2.** Nothing in this act may be construed to
11 affect the validity of any self-certification or similar program
12 existing prior to the effective date of section 1 of this act.

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