
HOUSE BILL 1353

State of Washington

69th Legislature

2025 Regular Session

By Representatives Ramel, Duerr, Reed, Doglio, and Nance

Read first time 01/16/25. Referred to Committee on Local Government.

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) Any self-certification program must comply with rules to be
2 promulgated by the department for such programs. These rules must
3 consist of, at a minimum:

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

7 (b) Requirements for random audits of self-certified program
8 permit applications to ensure that submissions are satisfying
9 applicable building code requirements, including a requirement that a
10 minimum of five percent of submissions within a calendar year be
11 audited, and an allowance for the city operating the program to
12 conduct additional nonrandom audits as the city deems necessary;

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

24 (d) Requirements for the maintenance of an appropriate level of
25 professional liability insurance coverage in order to participate in
26 the program.

27 (3) The department shall create a standard self-certification
28 form that cities may use or modify at their discretion that includes,
29 at a minimum:

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

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

38 (c) An agreement, signed by the property owner, the owner or
39 authorized representative of the company that will construct the
40 accessory dwelling unit for which the permit has been submitted, and

1 the certifying architect, to protect, defend, indemnify, and hold
2 harmless the city operating the self-certification program for any
3 claims or injuries connected with the design or construction of the
4 accessory dwelling unit for which the self-certification program
5 permit application was submitted, or for the issuance of a project
6 permit pursuant to the self-certification program; and

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

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

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

23 (5)(a) Any city operating a self-certification program shall
24 submit an annual report on its program to the department. Each report
25 must be submitted by July 31st for the preceding calendar year. The
26 report must include, at a minimum:

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

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

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

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

1 (b) The department shall post on its website a report by December
2 31st of each year summarizing the information received from cities
3 pursuant to (a) of this subsection.

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

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

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