

RCW 7.43.100 Sale of items subject to forfeiture—Use of proceeds. In all actions brought under this chapter, the proceeds and all moneys forfeited pursuant to the forfeiture provisions of RCW 69.50.505 shall be applied as follows:

- (1) First, to the fees and costs of the removal and sale;
- (2) Second, to the allowances and costs of closing and keeping closed the building or unit within a building;
- (3) Third, to the payment of the plaintiff's costs in the action; and
- (4) Fourth, the balance, if any, to the owner of the property.

If the proceeds of the sale of items subject to seizure and forfeiture do not fully discharge all of the costs, fees, and allowances, the building or unit within a building shall then also be sold under execution issued upon the order of the court, and the proceeds of the sale shall be applied in a like manner.

A building or unit within a building shall not be sold under this section unless the court finds and concludes by clear and convincing evidence that the owner of the building or unit within a building had actual or constructive knowledge or notice of the existence of the nuisance. However, this shall not be construed as limiting or prohibiting the entry of any final order of abatement as provided in this chapter. [1988 c 141 § 13.]