
SUBSTITUTE HOUSE BILL 1009

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Appelwick and Riley)

Read first time 02/16/93. Referred to Committee on .

1 AN ACT Relating to notices of lis pendens; and adding a new section
2 to chapter 4.28 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.28 RCW
5 to read as follows:

6 (1) A party who files a lis pendens or other instrument having the
7 same force and effect as a lis pendens in an action not affecting the
8 title to the real property against which the lis pendens or other
9 instrument was filed is liable to a person who prevails in the
10 cancellation of the lis pendens or other instrument, for actual damages
11 caused by the filing of the lis pendens or other instrument, and for
12 reasonable attorneys' fees incurred in seeking the cancellation of the
13 lis pendens or other instrument.

14 (2) A party who files a lis pendens or other instrument having the
15 same force and effect as a lis pendens under RCW 4.28.320 or 4.28.325
16 is liable to a person who prevails in the defense of the cause of
17 action as to which the lis pendens or other instrument was filed, for
18 actual damages caused by the filing of the lis pendens or other

1 instrument, and, in the court's discretion, reasonable attorneys' fees
2 and costs incurred in defending against the cause of action.

--- END ---