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HOUSE BILL 1009

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Appelwick and Riley

Prefiled 1/8/93. Read first time 01/11/93. Referred to Committee on Judiciary.

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 in an action not affecting the  
7 title to the real property against which the lis pendens was filed is  
8 liable to a person who prevails in the cancellation of the lis pendens,  
9 for actual damages caused by the filing of the lis pendens, and for  
10 reasonable attorneys' fees incurred in seeking the cancellation of the  
11 lis pendens.

12 (2) A party who files a lis pendens under RCW 4.28.320 or 4.28.325  
13 is liable to a person who prevails in the defense of the cause of  
14 action as to which the lis pendens was filed, for actual damages caused  
15 by the filing of the lis pendens, and, in the court's discretion,  
16 reasonable attorneys' fees and costs incurred in defending against the  
17 cause of action.

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