

6055-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Heavey, Rossi and Zarelli)

Brief Title: Providing additional requirements for adverse possession claims.

**SB 6055-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds the doctrines of adverse possession and prescriptive use rights have the effect of rewarding wrongdoers with title to land or use of land they have not paid for or for which they have not paid taxes.

Intends to modernize these doctrines to provide increased clarity and certainty in the establishment of real property interests.

Intends to prevent unjust deprivations of title or use of land and to encourage landowners and land users to ascertain and to build within their boundary lines.

Declares that it shall be an affirmative defense to any claim of adverse possession or prescriptive easement that the landowner gave permission to use the land at any time during the applicable time period specified in RCW 4.16.020 or 7.28.010 to the person claiming title by adverse possession or a prescriptive easement. A certified letter, return receipt requested, delivered at any time during the applicable time period specified in RCW 4.16.020 or 7.28.010 by the landowner to the person claiming title by adverse possession or a prescriptive easement granting permission to use the land is conclusive evidence that subsequent use is permissive.