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HOUSE BILL 2691

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State of Washington

57th Legislature

2002 Regular Session

By Representative Crouse

Read first time 01/23/2002. Referred to Committee on Technology,  
Telecommunications & Energy.

1 AN ACT Relating to a property owner's liability for delinquent and  
2 unpaid water and electric utility charges; and amending RCW 35.21.217.

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

4 **Sec. 1.** RCW 35.21.217 and 1998 c 285 s 1 are each amended to read  
5 as follows:

6 (1) Prior to furnishing utility services, a city or town may  
7 require a deposit to guarantee payment for services. However, failure  
8 to require a deposit does not affect the validity of any lien  
9 authorized by RCW 35.21.290 or 35.67.200. A city or town may determine  
10 how to apply partial payments on past due accounts.

11 (2) A city or town may provide a real property owner or the owner's  
12 designee with duplicates of tenant utility service bills, or may notify  
13 an owner or the owner's designee that a tenant's utility account is  
14 delinquent. However, if an owner or the owner's designee notifies the  
15 city or town in writing that a property served by the city or town is  
16 a rental property, asks to be notified of a tenant's delinquency, and  
17 has provided, in writing, a complete and accurate mailing address, the  
18 city or town shall notify the owner or the owner's designee of a  
19 tenant's delinquency at the same time and in the same manner the city

1 or town notifies the tenant of the tenant's delinquency or by mail.  
2 When a city or town provides a real property owner or the owner's  
3 designee with duplicates of tenant utility service bills or notice that  
4 a tenant's utility account is delinquent, the city or town shall notify  
5 the tenant that it is providing the duplicate bills or delinquency  
6 notice to the owner or the owner's designee. After January 1, 1999, if  
7 a city or town fails to notify the owner of a tenant's delinquency  
8 after receiving a written request to do so and after receiving the  
9 other information required by this subsection, the city or town shall  
10 have no lien against the premises for the tenant's delinquent and  
11 unpaid charges.

12 (3) After January 1, 2003, a city or town may not collect from the  
13 property owner in any manner for more than four months of a tenant's  
14 delinquent and unpaid utility charges for water or electric utility  
15 services if the city or town has received a written request for notice  
16 of delinquency from the property owner and has received all other  
17 information required under this section.

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