
SENATE BILL 5602

State of Washington

57th Legislature

2001 Regular Session

By Senators T. Sheldon, McCaslin, Roach, Shin and Rasmussen

Read first time 01/29/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to voluntary cure of alleged construction
2 defects; and adding a new section to chapter 4.16 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 4.16 RCW
5 to read as follows:

6 This section is an absolute bar to all claims or causes of
7 action set forth in RCW 4.16.300 until written notice of an
8 alleged defect as required by this section is served upon a person
9 referenced in RCW 4.16.300. The person referenced must be allowed a
10 period of thirty days after proper notice to demand inspection of
11 the alleged defect and to declare an intent to exercise a right to
12 cure the alleged defect within a reasonable time. This section does
13 not require any person to perform a cure, but sets out a voluntary
14 right to cure and this declaration of intent to cure shall not be
15 construed as an admission of fault. A declaration is a further bar
16 to all claims or causes of action set forth in RCW 4.16.300 for a
17 reasonable period of time as required to perform substantial
18 completion of the cure as provided in RCW 4.16.310.

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