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**SUBSTITUTE HOUSE BILL 2166**

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**State of Washington                      61st Legislature                      2009 Regular Session**

**By** House Local Government & Housing (originally sponsored by Representatives Darneille, Pedersen, Kenney, Kirby, and Hasegawa)

READ FIRST TIME 02/20/09.

1            AN ACT Relating to an additional document recording surcharge to  
2 fund certain affordable housing and homeless purposes; amending RCW  
3 43.185C.190; and adding a new section to chapter 36.22 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 36.22 RCW  
6 to read as follows:

7            (1) In addition to the surcharges authorized in RCW 36.22.178,  
8 36.22.179, and 36.22.1791, and except as provided in subsection (6) of  
9 this section, the county auditor shall charge an additional surcharge  
10 of twelve dollars for each document recorded, which is in addition to  
11 any other charge allowed by law.

12            (2) The auditor shall remit one hundred percent of the funds to the  
13 state treasurer for deposit in the affordable housing for all account  
14 created in RCW 43.185C.190. The department of community, trade, and  
15 economic development may use the funds for the following purposes:

16            (a) Administer and implement the programs established in RCW  
17 43.63A.305, 43.63A.645, and chapters 43.185, 43.185A, and 43.185C RCW;

18            (b) Provide affordable housing and shelter for low-income and  
19 homeless persons including, but not limited to: Grants to operate,

1 repair, and staff shelters; grants to operate transitional housing;  
2 partial payments for rental assistance; consolidated emergency  
3 assistance; overnight youth shelters; independent youth housing and  
4 emergency shelter assistance; community housing for persons with mental  
5 illness; and mobile home relocation;

6 (c) Fund the homeless families service fund created under RCW  
7 43.330.167; and

8 (d) Provide grants to housing authorities organized under chapter  
9 35.82 RCW.

10 (3) Beginning in 2012, each local governmental entity receiving a  
11 total of three hundred thousand dollars or more during the previous  
12 calendar year from any combination of the funding sources listed in  
13 subsection (4) of this section shall apply to the Washington state  
14 quality award program for an independent assessment of its quality  
15 management, accountability, and performance system, at least once every  
16 three years.

17 (4) The funding sources necessitating a Washington state quality  
18 award program assessment are as follows:

19 (a) The surcharge authorized under this section;

20 (b) The affordable housing for all surcharge authorized under RCW  
21 36.22.178;

22 (c) The homeless housing and assistance surcharges authorized under  
23 RCW 36.22.179 and 36.22.1791;

24 (d) State housing-related funding sources; and

25 (e) Any other surcharge authorized under chapter 36.22 or 43.185C  
26 RCW to fund homelessness programs or other housing programs.

27 (5) For the purposes of this section, "local governmental entity"  
28 means a county, city, code city, town, or housing authority.

29 (6) The surcharge imposed in this section does not apply to  
30 assignments or substitutions of previously recorded deeds of trust.

31 **Sec. 2.** RCW 43.185C.190 and 2007 c 427 s 2 are each amended to  
32 read as follows:

33 The affordable housing for all account is created in the state  
34 treasury, subject to appropriation. The state's portion of the  
35 surcharges established in RCW 36.22.178 and section 1 of this act shall

1 be deposited in the account. Expenditures from the account may only be  
2 used for affordable housing programs.

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