

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2119**

62nd Legislature  
2011 1st Special Session

Passed by the House May 21, 2011  
Yeas 63 Nays 24

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**Speaker of the House of Representatives**

Passed by the Senate May 24, 2011  
Yeas 36 Nays 9

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2119** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2119**

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Passed Legislature - 2011 1st Special Session

**State of Washington                      62nd Legislature                      2011 1st Special Session**

**By** House Ways & Means (originally sponsored by Representatives Orwall, Hope, Eddy, Hunter, Rodne, and Pedersen)

READ FIRST TIME 05/21/11.

1            AN ACT Relating to sums due by beneficiaries for reporting certain  
2 notices of default; amending RCW 61.24.---; and declaring an emergency.

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

4            **Sec. 1.** RCW 61.24.--- and 2011 c 58 s 12 are each amended to read  
5 as follows:

6            (1) Except as provided in subsection (4) of this section, beginning  
7 October 1, 2011, and every quarter thereafter, every beneficiary  
8 issuing notices of default, or directing that a trustee or authorized  
9 agent issue the notice of default, on owner-occupied residential real  
10 property under this chapter must:

11            (a) Report to the department the number of owner-occupied  
12 residential real properties for which the beneficiary has issued a  
13 notice of default during the previous quarter; and

14            (b) Remit the amount required under subsection (2) of this section.

15            (2) For each owner-occupied residential real property for which a  
16 notice of default has been issued, the beneficiary issuing the notice  
17 of default, or directing that a trustee or authorized agent issue the  
18 notice of default, shall remit two hundred fifty dollars to the  
19 department to be deposited, as provided under RCW 61.24.--- (section

1 11, chapter 58, Laws of 2011), into the foreclosure fairness account.  
2 The two hundred fifty dollar payment is required per property and not  
3 per notice of default. The beneficiary shall remit the total amount  
4 required in a lump sum each quarter.

5 (3) No later than thirty days after April 14, 2011, the  
6 beneficiaries required to report and remit to the department under this  
7 section shall determine the number of owner-occupied residential real  
8 properties for which notices of default were issued during the three  
9 months prior to April 14, 2011. The beneficiary shall remit to the  
10 department a one-time sum of two hundred fifty dollars multiplied by  
11 the number of properties. In addition, by July 31, 2011, the  
12 beneficiaries required to report and remit to the department under this  
13 section shall remit to the department another one-time sum of two  
14 hundred fifty dollars multiplied by the number of owner-occupied  
15 residential real properties for which notices of default were issued  
16 from April 14, 2011, through June 30, 2011. The department shall  
17 deposit the funds into the foreclosure fairness account as provided  
18 under RCW 61.24.---(section 11, chapter 58, Laws of 2011).

19 (4) This section does not apply to any beneficiary or loan servicer  
20 that is a federally insured depository institution, as defined in 12  
21 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury  
22 that it has issued, or has directed a trustee or authorized agent to  
23 issue, fewer than two hundred fifty notices of default in the preceding  
24 year.

25 (5) This section does not apply to association beneficiaries  
26 subject to chapter 64.32, 64.34, or 64.38 RCW.

27 NEW SECTION. Sec. 2. This act is necessary for the immediate  
28 preservation of the public peace, health, or safety, or support of the  
29 state government and its existing public institutions, and takes effect  
30 immediately.

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