

King County Ordinance 2016-0475, Section 113 Proviso P1
Feasibility and Potential Benefits of Converting Capacity Charges into Liens

Specifically, the Ordinance requires the report to address:

- Feasibility of converting capacity charges to liens on real property that are searchable to the public and visible on title reports
- How that change will result in a more streamlined process with lower administrative costs

Relevant Statutes:

- Revised Code of Washington: 57.08.081: Rates and charges-Delinquencies

(3) ... The commissioners may provide by resolution that where either connection charges or rates and charges for services supplied are delinquent for any specified period of time, the district shall certify the delinquencies to the auditor of the county in which the real property is located, and the charges and any penalties added thereto and interest thereon at the rate of not more than the prime lending rate of the district's bank plus four percentage points per year shall be a lien against the property upon which the service was received, subject only to the lien for general taxes.

- King County Code: 28.84.050 O 9: Delinquent Capacity Charge Accounts

b. When capacity charges plus interest charges and penalties are delinquent for more than thirty days, the department shall send a notice of intention to file lien to the property owner or owner's representative. The notice shall direct the property owner or representative to pay the total past due amount, plus interest and penalties, no later than fifteen days from the date of the letter or to make suitable arrangements to bring the account current. If the payment is not made within fifteen days, or suitable arrangements have not been made, the total amount past due plus penalties and interest will be certified as delinquent and a lien may be filed against the property with the recorder's office of the county. A lien charge to cover the cost of preparing and filing the lien will be added to the delinquent amount on the date of certification of the lien to the recorder's office of the county. Action may be taken by the department to enforce collection of the delinquent amount at any time after the charges have been delinquent for sixty days. The lien will be released when all past due capacity charges plus interest and late penalties have been paid.