

## CHAPTER 196.

[ S. B. 229. ]

MORTGAGE FORECLOSURES—REDEMPTION—  
JUDGMENTS.

AN ACT relating to civil procedure and the collection of secured debts and providing for redemptions and the enforcement of judgments; and amending section 8, chapter 53, Laws of 1899 and RCW 6.24.140; section 10, chapter 53, Laws of 1899 and RCW 6.24.160; section 15, chapter 53, Laws of 1899, as last amended by section 6, chapter 8, Laws of 1957 and RCW 6.24.210; and amending section 617, chapter 50 (page 127), Laws of 1877, as amended by Code 1881, section 612 and RCW 61.12.070.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 8, chapter 53, Laws of 1899, and RCW 6.24.140 are each amended to read as follows:

RCW 6.24.140 amended.

The judgment debtor or his successor in interest, or any redemptioner, may redeem the property at any time within one year after the sale, on paying the amount of the bid, with interest thereon at the rate of eight percent per annum to the time of redemption, together with the amount of any assessment or taxes which the purchaser or his successor in interest may have paid thereon after purchase, and like interest on such amount; and if the purchaser be also a creditor having a lien, by judgment, decree or mortgage, prior to that of the redemptioner, other than the judgment under which such purchase was made, the amount of such lien with interest: *Provided, however,* That whenever there is an execution sale of property pursuant to judgment and decree of foreclosure of any mortgage executed after June 30, 1961, which mortgage declares in its terms that the mortgaged property is not used principally for agricultural or farming purposes, and in which complaint the judgment creditor has expressly waived any right to a deficiency judgment,

Sales under execution, redemption. Time for redemption—Amount to be paid.

the period of redemption shall be eight months after the said sale.

RCW 6.24.160  
amended.

SEC. 2. Section 10, chapter 53, Laws of 1899, and RCW 6.24.160 are each amended to read as follows:

Certificate  
of redemption.

If no redemption be made within the redemption period prescribed by RCW 6.24.140, the purchaser or his assignee is entitled to a conveyance; or, if so redeemed, whenever sixty days have elapsed, and no other redemption has been made, or notice given operating to extend the period of redemption, and the time for redemption has expired, the last redeemer or his assignee is entitled to a sheriff's deed; but in all cases the judgment debtor shall have the entire redemption period prescribed by RCW 6.24.140 from the date of the sale to redeem the property. If the judgment debtor redeem he must make the same payments as are required to effect a redemption by the redeemer. If the judgment debtor redeem, the effect of the sale is terminated and he is restored to his estate. A certificate of redemption must be filed and recorded in the office of the auditor of the county in which the property is situated, and the auditor must note the record thereof in the margin of the record of the certificate of sale.

RCW 6.24.210  
amended.

SEC. 3. Section 15, chapter 53, Laws of 1899 as last amended, by section 6, chapter 8, Laws of 1957 and RCW 6.24.210 are each amended to read as follows:

Possession  
during period  
of redemption.

The purchaser from the day of sale until a resale or redemption, and the redeemer from the day of his redemption until another redemption, shall be entitled to the possession of the property purchased or redeemed, unless the same be in the possession of a tenant holding under an unexpired lease, and in such case shall be entitled to receive from such tenant the rents or the value of the use and occupation thereof during the period of redemption: *Provided,*

That when a mortgage contains a stipulation that in case of foreclosure the mortgagor may remain in possession of the mortgaged premises after sale and until the period of redemption has expired the court shall make its decree to that effect and the mortgagor shall have such right: *Provided, further,* That as to any land so sold which is at the time of the sale used for farming purposes, or which is a part of a farm used, at the time of sale, for farming purposes, the judgment debtor shall be entitled to retain possession thereof during the period of redemption and the purchaser or his successor in interest shall, if the judgment debtor does not redeem, have a lien upon the crops raised or harvested thereon during said period of redemption, for interest on the purchase price at the rate of six percent per annum during said period of redemption and for taxes becoming delinquent during the period of redemption together with interest thereon: *And, provided further,* That in case of any homestead selected in the manner provided by law and occupied for that purpose at the time of sale, the judgment debtor shall have the right to retain possession thereof during the period of redemption without accounting for issues for value of occupation.

SEC. 4. Section 617, chapter 50 (page 127), Laws of 1877 as amended by Code 1881, section 612, and RCW 61.12.070 are each amended to read as follows:

RCW 61.12.070  
amended.

When there is an express agreement for the payment of the sum of money secured contained in the mortgage or any separate instrument, the court shall direct in the decree of foreclosure that the balance due on the mortgage, and costs which may remain unsatisfied after the sale of the mortgaged premises, shall be satisfied from any property of the mortgage debtor: *Provided, however,* That in all cases where the mortgagee or other owner of such mortgage has expressly waived any right to a deficiency judgment

Real estate  
chattel  
mortgages,  
foreclosure.  
Decree to  
direct deficiency—  
Waiver.

in the complaint, as provided by RCW 6.24.140, there shall be no such judgment for deficiency, and the remedy of the mortgagee or other owner of the mortgage shall be confined to the sale of the property mortgaged.

Passed the Senate February 28, 1961.

Passed the House March 7, 1961.

Approved by the Governor March 20, 1961.

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CHAPTER 197.

[ S. B. 259. ]

HEALTH CARE SERVICE CONTRACTORS.

AN ACT relating to health care services and agreements pertaining thereto; defining terms; setting the amount of bond or deposit required; defining certain unfair practices; requiring certain filings with the insurance commissioner; requiring certain qualifications for registration; prescribing powers and duties of the insurance commissioner relating to registration and enforcement; declaring an emergency; amending section 1, chapter 268, Laws of 1947 and RCW 48.44.010; amending section 2, chapter 268, Laws of 1947 and RCW 48.44.020; amending section 3, chapter 268, Laws of 1947 and RCW 48.44.030; and adding fifteen new sections to chapter 268, Laws of 1947 and to chapter 48.44 RCW.

*Be it enacted by the Legislature of the State of Washington:*

RCW 48.44.010 amended.

SECTION 1. Section 1, chapter 268, Laws of 1947 and RCW 48.44.010 are each amended to read as follows:

For the purposes of this chapter:

Definitions. "Health care services".

(1) "Health care services" means and includes medical, surgical, dental, hospital and other therapeutic services. The services of an optometrist licensed by the state of Washington are also declared to be health care services for the purposes of this chapter.

"Doctor".

(2) "Doctor" means any person lawfully licensed or authorized to render any health care services.