

appointed to a position covered by the plan only if the employee meets the employment qualifications established by the plan.

Passed the House March 24, 1973.

Passed the Senate March 22, 1973.

Approved by the Governor April 3, 1973.

Filed in Office of Secretary of State April 3, 1973.

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CHAPTER 12  
[Senate Bill No. 2268]  
LAND DEVELOPMENT ACT

AN ACT Relating to the regulation of the sale of lands; creating a new chapter in Title 58 RCW; and prescribing penalties.

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

NEW SECTION. Section 1. The legislature finds and declares that the sale and offering for sale of land or of interests in associations which provide for the use or occupancy of land touches and affects a great number of the citizens of this state and that full and complete disclosure to prospective purchasers of pertinent information concerning land developments, including any encumbrances or liens which might attach to the land and the physical characteristics of the development as well as the surrounding land, is essential. The legislature further finds and declares that a program of state registration and of publication and delivery to prospective purchasers of a complete and accurate public offering statement is necessary in order to adequately protect both the economic and physical welfare of the citizens of this state. It is the purpose of this chapter to provide for a reasonable program of state registration and regulation of the sale and offering for sale of any interest in significant land developments within or without the state of Washington, so that the prospective purchasers of such interests might be provided with full, complete, and accurate information of all pertinent circumstances affecting their purchase.

NEW SECTION. Sec. 2. When used in this chapter, unless the context otherwise requires:

(1) "Blanket encumbrance" shall mean a trust deed, mortgage, mechanic's lien, or any other lien or encumbrance, securing or evidencing the payment of money and affecting the land to be developed or affecting more than one lot or parcel of developed land, or an agreement affecting more than one such lot or parcel by which the developer holds said development under option, contract, sale, or trust agreement. The term shall not include taxes and assessments levied by a public authority.

(2) "Director" means the director of the department of motor vehicles or his authorized designee.

(3) "Developer" means any owner of a development who offers it for disposition, or the principal agent of an inactive owner.

(4) "Development" or "developed lands" means land which is divided or is proposed to be divided for the purpose of disposition into ten or more lots, parcels, or units (excluding interests in camping clubs regulated under chapter 19.105 RCW) and any other land whether contiguous or not, if ten or more lots, parcels, units, or interests are offered as a part of a common promotional plan of advertising and sale.

(5) "Disposition" includes any sale, lease, assignment, or exchange of any interest in any real property which is a part of or included within a development, and also includes the offering of property as a prize or gift when a monetary charge or consideration for whatever purpose is required in conjunction therewith, and any other transaction concerning a development if undertaken for gain or profit.

(6) "Offer" includes every inducement, solicitation, or media advertisement which has as a principal aim to encourage a person to acquire an interest in land.

(7) "Hazard" means all existing or proposed unusual conditions relating to the location of the development, noise, safety, or other nuisance which affect or might affect the development.

(8) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, unincorporated association, two or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity.

(9) "Purchaser" means a person who acquires or attempts to acquire or succeeds to any interest in land.

(10) "Residential buildings" shall mean premises that are actually intended or used as permanent residences of the purchasers and that are not devoted exclusively to any other purpose.

NEW SECTION. Sec. 3. (1) Unless the method of disposition is adopted for the purpose of evasion of this chapter, the provisions of this chapter shall not apply to land and offers or dispositions:

(a) By a purchaser of developed lands for his own account in a single or isolated transaction;

(b) If fewer than ten separate lots, parcels, units, or interests in developed lands are offered by a person in a period of twelve months;

(c) If each lot offered in the development is five acres or more;

(d) On which there is a residential, commercial, or industrial

building, or as to which there is a legal obligation on the part of the seller to construct such a building within two years from date of disposition;

(e) To any person who acquires such lot, parcel, unit or interest therein for the purpose of engaging in the business of constructing residential, commercial, or industrial buildings or for the purpose of resale or lease or other disposition of such lots to persons engaged in such business or businesses;

(f) Any lot, parcel, unit or interest if the development is located within an area incorporated prior to the effective date of this 1973 act;

(g) Pursuant to court order; or

(h) As cemetery lots or interests.

(2) Unless the method of disposition is adopted for the purpose of evasion of this chapter, the provisions of this chapter shall not apply to:

(a) Offers or dispositions of evidence of indebtedness secured by a mortgage or deed of trust of real estate;

(b) Offers or dispositions of securities or units of interest issued by a real estate investment trust regulated under any state or federal statute;

(c) A development as to which the director has waived the provisions of this chapter as provided in section 4 of this 1973 act;

(d) Offers or dispositions of securities currently registered with the division of securities of the department of motor vehicles;

(e) Offers or dispositions of any interest in oil, gas, or other minerals or any royalty interest therein if the offers or dispositions of such interests are regulated as securities by the United States or by the division of securities of the department of motor vehicles.

NEW SECTION. Sec. 4. The director may waive the provisions of this chapter for a development of twenty-five or fewer lots, parcels, units, or interests if he determines that the plan of promotion and disposition is primarily directed to persons in the local community in which the development is situated.

NEW SECTION. Sec. 5. Unless the development or the transaction is exempt by section 3 of this 1973 act:

(1) No person may offer or dispose of any interest in a development located in this state, nor offer or dispose of in this state any interest in a development located without this state prior to the time the development is registered in accordance with this chapter.

(2) Any contract or agreement for the purchase of an interest in a development, where the current public offering statement has not been given to the purchaser in advance or at the time of his signing,

shall be voidable at the option of the purchaser. A purchaser may revoke such contract or agreement within forty-eight hours, where he has received the public offering statement less than forty-eight hours before he signed the contract or agreement, and the contract or agreement shall so provide. Notice of revocation shall be made by written notice delivered to the seller or his agent. The time period of forty-eight hours shall not include all or any portion of a Saturday, Sunday, or legal holiday.

NEW SECTION. Sec. 6. An application for registration of a development shall be filed as prescribed by rules and regulations adopted by the director and shall contain the following documents and information:

(1) An irrevocable appointment of the director to receive service of any lawful process in any noncriminal proceeding arising under this chapter against the applicant or his personal representative;

(2) A legal description of the development offered for registration, together with a map showing the division proposed or made, and the dimensions of the lots, parcels, units, or interests, and the relation of the development to existing streets, roads, and other off-site improvements;

(3) The states or jurisdictions in which an application for registration or similar document has been filed, and any adverse order, judgment, or decree entered in connection with the development by the regulator authorities in each jurisdiction or by any court;

(4) The name and address of each person having an ownership interest of five percent or more in the development together with the names, principal occupations, and addresses of every officer, director, partner, or trustee of the developer;

(5) A statement of the existing provisions for access, sewage disposal, potable water, and other public utilities in the development; a statement of the improvements to be installed, how they are going to be financed, the schedule for their completion; and a statement as to the provision for improvement maintenance. The statements required in this subsection shall include certificates from the appropriate governmental authorities certifying that the applicant has complied with all local health and planning and state and local subdivision requirements;

(6) A statement, in a form acceptable to the director, of the condition of the title to the development including easements of record, encumbrances, liens of record, blanket encumbrances, and the existence of partial release clauses, if any, as of a specified date within twenty days of the date of application, by title opinion of a title insurance company or licensed attorney, not a salaried employee, officer, or director of the applicant or owner, or by other

evidence of title acceptable to the agency;

(7) Copies of the instruments which will be delivered to a purchaser to evidence his interest in the development and of the contracts and other agreements which a purchaser will be required to agree to or sign;

(8) A statement, where the development is encumbered by a blanket encumbrance which does not contain an unconditional release clause, as to which alternative condition provided for in section 18 of this 1973 act the developer shall adopt;

(9) Copies of instruments creating easements, restrictions, or other encumbrances affecting the development;

(10) A statement of the zoning and other governmental regulations affecting the use of the development and also of any existing or proposed special taxes or assessments which affect the development;

(11) A narrative description of the promotional plan for the disposition of the development, together with copies of all advertising material which has been prepared for public distribution by any means of communication;

(12) A statement of any hazard on or around the development;

(13) The proposed public offering statement;

(14) Any other information, including any current financial statement, which the director by its rules and regulations requires for the protection of purchasers.

NEW SECTION. Sec. 7. The proposed public offering statement, required to be submitted as part of the application for registration, shall be on a form prescribed by rules and regulations adopted by the director and shall include the following:

(1) The name and principal address of the developer;

(2) A general description of the development stating the total number of lots, parcels, units, or interests in the offering;

(3) The significant terms of any encumbrances, easements, liens, and restrictions, including zoning and other regulations affecting the development and each unit or lot, and a statement of all existing taxes and existing or proposed special taxes or assessments which affect the development;

(4) A statement of the use for which the property is offered;

(5) Information concerning improvements, including streets, potable water supply, levees, drainage control systems, irrigation systems, sewage disposal facilities, customary utilities, and recreational facilities, and the estimated cost, means of financing, date of completion, and responsibility for construction and maintenance of existing and proposed improvements which are referred to in connection with the offering or disposition of any interest in a development;

(6) A statement of any hazard on or around the development;

(7) Additional information required by the director to assure full and fair disclosure to prospective purchasers.

NEW SECTION. Sec. 8. Upon receipt of an application for registration in proper form, the director shall immediately initiate an examination to determine that the following requirements are satisfied:

(1) The developer can convey or cause to be conveyed the interest in a development offered for disposition if the purchaser complies with the terms of the offer, and when appropriate, that release clauses, conveyances in trust, or other safeguards have been provided;

(2) The developer has complied with all local health and planning, and state and local subdivision requirements;

(3) The advertising material and the general promotional plan are not false, misleading, or deceptive, afford full and fair disclosure, and comply with the standards prescribed by the director in its rules and regulations;

(4) The developer has not, or if a corporation, its officers, directors, and principals have not, been convicted of a crime involving land dispositions or any aspect of the land sales business in this state, the United States, or any other state or foreign country within the past ten years and has or have not been subject to any injunction or administrative order or judgment entered under the provisions of RCW 19.86.080 or 19.86.090 involving a violation or violations of the provisions of RCW 19.86.020 within the past ten years restraining a false or misleading promotional plan involving land dispositions;

(5) The public offering statement requirements of this chapter have been satisfied.

NEW SECTION. Sec. 9. (1) Upon receipt of the application for registration in proper form, the director shall issue a notice of filing to the applicant. Within thirty days from the date of notice of filing for an in-state development or sixty days for an out-of-state development, the director shall enter an order registering the development or rejecting the registration. If no order of rejection is entered within thirty days from the date of notice of filing for an in-state development or sixty days for an out-of-state development, the land shall be deemed registered unless the applicant has consented in writing to a delay.

(2) If the director affirmatively determines, upon inquiry and examination that the requirements of section 8 of this 1973 act have been met, he shall enter an order registering the development and shall designate the form of the public offering statement.

(3) If the director determines upon inquiry and examination

that any of the requirements of section 8 of this 1973 act have not been met, the director shall notify the applicant that the application for registration must be corrected in the deficiencies specified. If the requirements for correction are not met, the director shall enter an order rejecting the registration which shall include the findings of fact upon which the order is based. The order rejecting the registration shall not become effective for twenty days during which time the applicant may petition for reconsideration and shall be entitled to a hearing.

NEW SECTION. Sec. 10. (1) Any development registered under the Interstate Land Sales Full Disclosure Act (82 Stat. 590-599; 15 U.S.C. Sec. 1701-1720) shall, at the developer's request, be registered under this chapter if the developer:

(a) Files with the director a copy of his federal statement of record and property report and copies of all papers, documents, exhibits, and certificates he has filed with or received from the federal government in regard to his federal registration; and

(b) Complies with the provisions of section 18 of this 1973 act, dealing with blanket encumbrances.

Where a developer satisfies items (a) and (b) above, the federal property report for the development shall qualify and be accepted as the public offering statement under this chapter.

(2) State registration under this section shall only be valid and current so long as:

(a) The developer's federal registration is valid and current; and

(b) The director is promptly advised of any change in the developer's federal registration and is promptly provided with copies of all papers, documents, exhibits and certificates relating to the development which the developer has filed with or received from the federal government subsequent to the date on which his federal registration was granted.

(3) Except as provided otherwise in this subsection, the provisions of this chapter shall apply to developments registered under this section. Sections 6 through 9 and sections 11 through 13 of this 1973 act shall not apply to developments having a valid and current registration under this section.

NEW SECTION. Sec. 11. If the developer registers an additional development to be offered for disposition, he may consolidate the subsequent registration with any earlier registration offering a development for disposition under the same promotional plan.

NEW SECTION. Sec. 12. The developer shall immediately report to the director any material changes in the information contained in his application for registration. No change in the substance of the

promotional plan or plan of disposition or completion of the development may be made after registration without notifying the director and without making appropriate amendment of the public offering statement. A public offering statement is not current unless it incorporates all amendments.

NEW SECTION. Sec. 13. No portion of the public offering statement form may be underscored, italicized, or printed in larger or heavier or different color type than the remainder of the statement unless the director so requires.

NEW SECTION. Sec. 14. The public offering statement shall not be used for any promotional purposes. It may not be distributed to prospective purchasers before registration of the development and may be distributed afterwards only when it is used in its entirety. No person may advertise or represent that the state of Washington or the director, the department, or any employee thereof approves or recommends the development or disposition thereof.

NEW SECTION. Sec. 15. (1) If it appears to the director at any time that a public offering statement currently in effect includes any statement that is false, misleading, or deceptive, the director may, after notice and after opportunity for hearing (at a time fixed by the director) within fifteen days after such notice, issue an order suspending the public offering statement. When such statement has been amended in accordance with such order, the director shall so declare and thereupon the order of suspension shall cease to be effective.

(2) The director is hereby empowered to make an examination in any case to determine whether an order should issue under subsection (1) of this section. In making such examination, the director or anyone designated by the director shall have access to, and may demand the production of any books and papers of, and may administer oaths and affirmations to, and may examine, the developer, any agents, or any other person, in respect to any matter relevant to the examination. If the developer or any agents shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of an order suspending the developer's public offering statement.

NEW SECTION. Sec. 16. A copy of the public offering statement issued on land within a development covered by this chapter shall be given by the director, upon oral or written request, to any member of the public.

NEW SECTION. Sec. 17. A copy of the public offering statement issued on land within a development covered by this chapter shall be given by the developer or his agents or salesmen, upon oral or written request, to every adult or head of a family who visits the site of a development as a prospective purchaser.



NEW SECTION. Sec. 18. It shall be unlawful for the developer to make a sale of lots or parcels within a development which is subject to a blanket encumbrance which does not contain, within its terms or by supplementary agreement, a provision which shall unconditionally provide that the purchaser of a lot or parcel encumbered thereby can obtain the legal title, or other interest contracted for, free and clear of the lien of such blanket encumbrance upon compliance with the terms and conditions of the purchase, unless the developer shall elect and comply with one of the following alternative conditions:

(1) The developer shall deposit in an escrow depository acceptable to the director: In cases where the blanket encumbrance does not provide for partial release, all or such portions of the money paid or advanced by the purchaser on any such lot or parcel within said development as the director shall determine to be sufficient to protect the interest of the purchaser; or in cases where the blanket encumbrance provides for partial releases thereof which are not unconditional, the developer shall deposit, at such time as the balance due to the developer from such purchasers is equal to the sum necessary to procure a release of such lots or parcels contracted for from the lien of such blanket encumbrance, all of the sums thereafter received from such purchasers until either:

(a) A proper release is obtained from such blanket encumbrance;

(b) Either the developer or the purchaser defaults under the sales contract and there is a forfeiture of the interest of the purchaser or there is a determination as to the disposition of such moneys, as the case may be; or

(c) The developer orders a return of such moneys to such purchaser.

(2) The title to the development is held in trust under an agreement of trust acceptable to the director until the proper release of such blanket encumbrance is obtained.

(3) A bond to the state of Washington or such other proof of financial responsibility is furnished to the director for the benefit and protection of purchasers of such lots or parcels in such an amount and subject to such terms, as may be approved by the director, which shall provide for the return of moneys paid or advanced by any purchaser on account of a sale of any such lot or parcel if a proper release from such blanket encumbrance is not obtained: PROVIDED, That if it should be determined that such purchaser, by reason of default, or otherwise, is not entitled to the return of such moneys or any portion thereof, such bond or other proof of financial responsibility shall be exonerated to the extent and in the amount thereof. The amount of the bond or other proof of financial

responsibility may be increased or decreased or a bond may be waived from time to time as the director shall determine.

NEW SECTION. Sec. 19. No person shall publish in this state any advertisement concerning a development subject to the registration requirements of this chapter after the director finds that the advertisement contains any statements that are false, misleading, or deceptive and so notifies the person in writing. Such notification may be given summarily without notice or hearing. At any time after the issuance of a notification under this section the person desiring to use the advertisement may in writing request the order be rescinded. Upon receipt of such a written request, the matter shall be set down for hearing to commence within fourteen days after such receipt unless the person making the request consents to a later date. After such hearing, which shall be conducted in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW, the director shall determine whether to affirm and to continue or to rescind such order and shall have all powers granted under such act.

NEW SECTION. Sec. 20. (1) The director may:

(a) Make necessary public or private investigations within or outside of this state to determine whether any person has violated or is about to violate this chapter or any rule, regulation, or order hereunder, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder;

(b) Require or permit any person to file a statement in writing, under oath or otherwise as the director determines, as to all facts and circumstances concerning the matter to be investigated.

(2) For the purpose of any investigation or proceeding under this chapter, the director or any officer designated by rule may administer oaths or affirmations, and upon his own motion or upon request of any party may subpoena witnesses, compel their attendance, take evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge or relevant facts, or any other matter reasonably calculated to lead to the discovery of material evidence.

(3) Upon failure to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all persons affected thereby, the director may apply to the superior court for an order compelling compliance.

(4) Except as otherwise provided in this chapter, all proceedings under this chapter shall be in accordance with the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 21. (1) If the director determines after

notice and hearing that a person has:

- (a) Violated any provision of this chapter;
- (b) Directly or through an agent or employee engaged in any false, deceptive, or misleading advertising, promotional, or sales methods to offer or dispose of an interest in developed lands;
- (c) Made any substantial change in the plan of disposition and completion of the development subsequent to the order of registration without obtaining prior written approval from the director;
- (d) Disposed of any interest in a development required to be registered under this chapter which has not been so registered with the director;
- (e) Violated any lawful order, rule or regulation of the director;

he may issue an order requiring the person to cease and desist from the unlawful practice and to take such affirmative action as in the judgment of the director will carry out the purposes of this chapter.

(2) If the director makes a finding of fact in writing that the public interest will be irreparably harmed by delay in issuing an order, he may issue a temporary cease and desist order. Prior to issuing the temporary cease and desist order, the director whenever possible by telephone or otherwise shall give notice of the proposal to issue a temporary cease and desist order to the person. Every temporary cease and desist order shall include in its terms a provision that upon request a hearing will be held to determine whether or not the order becomes permanent.

(3) If it appears that a person has engaged or is about to engage in an act or practice constituting a violation of a provision of this chapter, or a rule or order hereunder, the director, with or without prior administrative proceedings, may bring an action in the superior court to enjoin the acts or practices and to enforce compliance with this chapter or any rule, regulation, or order hereunder. Upon proper showing, injunctive relief or temporary restraining orders shall be granted, and a receiver or conservator may be appointed. The director shall not be required to post a bond in any court proceedings.

NEW SECTION. Sec. 22. (1) A registration may be revoked after notice and hearing upon a written finding of fact that the developer has:

- (a) Failed to comply with the terms of a cease and desist order;
- (b) Been convicted in any court subsequent to the filing of the application for registration for a crime involving fraud, deception, false pretense, misrepresentation, false advertising, or dishonest dealing in real estate transactions;
- (c) Disposed of, concealed, or diverted any funds or assets of

any person so as to defeat the rights of development purchasers;

(d) Repeatedly failed to perform any stipulation or agreement made with the director as an inducement to grant any registration, to reinstate any registration, or to approve any promotional plan or public offering statement;

(e) Made intentional misrepresentations or concealed material facts in an application for registration.

Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings.

(2) If the director finds after notice and hearing that the developer has been guilty of a violation for which revocation could be ordered, he may issue a cease and desist order instead of ordering revocation.

NEW SECTION. Sec. 23. In any suit by or against a developer involving his development, the developer promptly shall furnish the director notice of the suit and copies of all pleadings. This section shall not apply where the director is a party to the suit.

NEW SECTION. Sec. 24. Proceedings for judicial review shall be in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 25. The director shall prescribe reasonable rules and regulations in order to implement this chapter and such rules and regulations shall be adopted, amended, or repealed in compliance with the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 26. In addition to the powers granted the director under other sections of this chapter, the director may:

(1) Intervene in a suit involving a development registered under this chapter;

(2) Accept information contained in registrations filed in other states;

(3) Contract with similar agencies in this state, any other state, or with the federal government to perform investigative functions;

(4) Accept grants in aid from any source;

(5) Cooperate with similar agencies in other states and with the federal government to establish, insofar as practical, uniform filing procedures and forms, uniform public offering statements, advertising standards and rules, and common administrative practices.

NEW SECTION. Sec. 27. (1) The commission by any person of an act or practice prohibited by this chapter is hereby declared to be an unfair act or practice or unfair method of competition in the conduct of trade or commerce for the purpose of the application of the Consumer Protection Act, chapter 19.86 RCW, as now or hereafter amended.

(2) The director may refer such evidence as may be available to him concerning violations of this chapter or of any rule or regulation adopted hereunder to the attorney general or the prosecuting attorney of the county wherein the alleged violation arose, who may, in their discretion, with or without such a reference, in addition to any other action they might commence, bring an action in the name of the state against any person to restrain and prevent the doing of any act or practice prohibited by this chapter: PROVIDED, That this chapter shall be considered in conjunction with chapters 9.04 and 19.86 RCW, as now or hereafter amended, and the powers and duties of the attorney general and the prosecuting attorney as they may appear in the aforementioned chapters, shall apply against all persons subject to this chapter.

NEW SECTION. Sec. 28. Dispositions of an interest in a development are subject to this chapter, and the superior courts of this state have jurisdiction in claims or causes of action arising under this chapter, if:

- (1) The interest in a development offered for disposition is located in this state;
- (2) The developer maintains an office in this state; or
- (3) Any offer or disposition of an interest in a development is made in this state, whether or not the offeror or offeree is then present in this state, if the offer originates within this state or is directed by the offeror to a person or place in this state and received by the person or at the place to which it is directed.

NEW SECTION. Sec. 29. The fees for applications required under this chapter shall be as prescribed under this section.

(1) Except as provided in subsection (3) of this section, the fee which shall accompany each application for registration shall be computed according to the number of units (meaning lots, parcels, or interests) in the development as provided in the following schedule:

1-50.....	\$ 250
51-100.....	300
101-150.....	350
151-200.....	400
201-250.....	450
251-300.....	500
301-350.....	550
351-400.....	600
401-450.....	650
451-500.....	700
501-550.....	750
551-600.....	800
601-650.....	850
651-700.....	900

701-750.....	950
751-800.....	1,000
801-850.....	1,025
851-900.....	1,050
901-950.....	1,075
951-1,000.....	1,100
1,001-1,050.....	1,125
1,051-1,100.....	1,150
1,101-1,150.....	1,175
1,151-1,200.....	1,200
1,201-1,250.....	1,225
1,251-1,300.....	1,250
1,301-1,350.....	1,275
1,351-1,400.....	1,300
1,401-1,450.....	1,325
1,451-1,500.....	1,350
1,501-1,550.....	1,375
1,551-1,600.....	1,400
1,601-1,650.....	1,425
1,651-1,700.....	1,450
1,701-1,750.....	1,475
1,751-or more.....	1,500

(2) The fee which shall accompany each application for a waiver of the provisions of this chapter shall be fifty dollars.

(3) The fee which shall accompany each application for registration of a development already registered under the federal Interstate Land Sales Full Disclosure Act (82 Stat. 590-599; 15 U.S.C. Sec. 1701-1720) shall be two hundred and fifty dollars.

NEW SECTION. Sec. 30. If, after disposition of all or any portion of a development which is covered by this chapter, a condition constituting a hazard is discovered on or around the development, the developer or government agency discovering such condition shall notify the director immediately. After receiving such notice, the director shall forthwith take all steps necessary to notify the owners of the affected lands either by transmitting notice through the appropriate county assessor's office or such other steps as might reasonably give actual notice to the owners.

NEW SECTION. Sec. 31. Any person selling land or other interests in a development prior to January 1, 1974, and who intends to continue selling such land or interests, shall have until March 1, 1974, to perfect his registration under this chapter. During the period from January 1, 1974 to March 1, 1974, he may continue selling such land or other interest in the development without having procured registration under this chapter.

NEW SECTION. Sec. 32. The provisions of section 18 of this

1973 act shall not apply to any development where either:

(1) Each lot contained in the development is included in a final plat approved prior to January 1, 1974, pursuant to chapter 58.17 RCW or any platting and subdivision ordinance of any Washington county, city, or town; or

(2) The development is registered with the federal government pursuant to the Interstate Land Sales Full Disclosure Act (82 Stat. 590-599; 15 U.S.C. Sec. 1701-1720) and such registration was granted prior to January 1, 1974.

NEW SECTION. Sec. 33. The provisions of this chapter shall be construed liberally so as to give effect to the purposes stated in section 1 of this 1973 act.

NEW SECTION. Sec. 34. This chapter shall become effective January 1, 1974: PROVIDED, That prior to January 1, 1974, the director is authorized and empowered to undertake and perform duties and conduct activities necessary for the implementation of this chapter upon its becoming effective.

NEW SECTION. Sec. 35. This chapter may be cited as the Land Development Act of 1973.

NEW SECTION. Sec. 36. If any provision of this 1973 act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this 1973 act are severable.

NEW SECTION. Sec. 37. Sections 1 through 36 of this act shall constitute a new chapter in Title 58 RCW.

Passed the Senate March 20, 1973.

Passed the House March 30, 1973.

Approved by the Governor April 9, 1973.

Filed in Office of Secretary of State April 9, 1973.

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CHAPTER 13

[ Engrossed Senate Bill No. 2525 ]

CHARITABLE FUND SOLICITATION--

REGULATION

AN ACT Relating to the solicitation of funds for charity; adding a new chapter to Title 19 RCW; providing penalties; and prescribing effective dates.

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