

FILED

20 MAR 25 P 1:45

GRAYS HARBOR CO.
KYM FOSTER
COUNTY CLERK

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF GRAYS HARBOR

IN THE MATTER OF EMERGENCY)	GENERAL ORDER 2020-4
RESPONSE TO A THREAT TO PUBLIC)	
HEALTH)	EMERGENCY ORDER RE: PUBLIC
)	HEALTH CONCERNING SHERIFF
)	FORECLOSURE SALES
)	

Pursuant to General Rule (GR) 21(a), the Presiding Judge of this court issued General Order 2020-1 on March 12, 2020 and General Order 2020-2 on March 16, 2020 in response to the public health emergency arising from the coronavirus (COVID-19), which was declared a pandemic by the World Health Organization on March 11, 2020, and which affects the operations of the Grays Harbor County Superior Court.

On March 18, 2020, the Chief Justice of the Washington State Supreme Court issued an order which restricts the operations of the courts in this State and which limits the types of cases which can be heard in the courts between now and April 24, 2020. Accordingly, on March 19, 2020, this court issued General Order 2020-3 which addressed the restrictions and suspensions allowed under the March 18, 2020 Supreme Court order, and extended those restrictions and suspensions to May 6, 2020.

On March 23, 2020, Governor Jay Inslee issued Proclamation 20-25 relating to the COVID-19 crisis. This proclamation requires citizens performing non-essential work to stay at

1 home and specifically prohibits any gatherings. Conducting a foreclosure sale is not only non-
2 essential work, it would cause a gathering to take place in violation of the “Stay Home, Stay Safe”
3 proclamation.

4 There are presently three (3) Orders of Sale of foreclosed properties pending in the Grays
5 Harbor County Sheriff’s Office, in the following causes: 17-2-00207-7, KeyBank v. Theodor
6 Edwards, with a sale scheduled for April 17, 2020; Cause No. 19-2-00255-14, Bank of America
7 v. Anthony Taylor, with a sale scheduled for March 27, 2020; and 19-2-00442-14, Bank of New
8 York Mellon v. Heirs of Robert Lee, with a sale scheduled for May 15, 2020. All of these
9 foreclosure sales were scheduled prior to the Court’s March 19, 2020, order and the Governor’s
10 March 23, 2020, proclamation.

11 The foreclosure sales are governed by Chapter 6.21 RCW allows the sheriff to continue
12 the sale only up to thirty days beyond the returnable date of the order of sale, and due to the
13 uncertain time frames recently put into place through both the Governor’s and Superior Court’s
14 respective orders it is likely that the time frame for the sheriff’s return will expire before being
15 able to hold the sales.
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17 Moreover, these sheriff sales are held in the county courthouse, and typically attract greater
18 than ten attendees. In addition, due to space constraints it will be impossible to meet the CDC
19 recommendation of six-foot social distancing. As such, the sales would be in violation of
20 Paragraph 12 of General Order 2020-3 and Governor’s Proclamation 20-25.

21 Based upon the foregoing, this court finds that good cause exists to cancel all pending
22 sheriff sales under Chapter 6.21 RCW. This order will be in effect until further order of the court
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1 with respect to reopening court proceedings, at which time the foreclosing parties may request a
2 new Order of Sale in their respective cases.

3 Dated this 25th day of March, 2020.

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5 PRESIDING JUDGE
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