

Judicial Impact Fiscal Note

Bill Number: 1048 HB	Title: Residential mortgage lending	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2016	FY 2017	2015-17	2017-19	2019-21
Counties					
Cities					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

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Request # 1048 HB-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Potential impacts of this bill on the courts.

RCW 19.144.010 and 2008 c 108 s 2 are amended in Section 2 to revise definitions of the "mortgage lending process", and "residential mortgage loan modification".

RCW 19.144.080 and 2010 c 35 s 12 are amended in Section 3 to add to the list of unlawful behavior to include the recording of false documents, violations of RCW 31.04.297 (3), and impeding an investigation or prosecution of these crimes.

RCW 19.144.090 and 2008 c 108 s 10 are amended in Section 4 to add language that creates a civil liability for damages up to \$5,000 or actual damages to repair a victim's credit and quiet title on residential property. This action may be made as part of any criminal trial for related criminal behavior.

II. B - Cash Receipts Impact

There are not expected to be any changes in cash receipts.

II. C - Expenditures

Any expenditures for the courts would be in the area of additional trials or longer trials resulting from civil trials related to the repair of a victim's credit and/or quiet title actions.

The number of potential civil trials is unknown.

If the civil case were to be heard in District Court as a separate action it is estimated that each trial would cost approximately \$1,000 in court time and staff support time.

If the civil portion of a criminal case were heard in Superior Court as part of an existing criminal trial, it is estimated that it would require between 45 minutes and two hours of court time to hear and rule.

This extra court time is estimated to cost between \$400 and \$1,100 including staff support time.

Part III: Expenditure Detail

Part IV: Capital Budget Impact