
SENATE BILL 5031

State of Washington

63rd Legislature

2013 Regular Session

By Senator Padden

Read first time 01/15/13. Referred to Committee on Law & Justice .

1 AN ACT Relating to actions for damage to real property resulting
2 from construction, alteration, or repair on adjacent property; adding
3 a new section to chapter 4.16 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature enacts this act to overrule
6 the Washington supreme court decision in *Vern J. Oja and Assoc. v.*
7 *Washington Park Towers, Inc.*, 89 Wn.2d 72, 569 P.2d 1141 (1977), which
8 held that claims for damage to real property resulting from
9 construction activities on adjacent property do not accrue until the
10 construction project on the adjacent property is complete.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.16 RCW
12 to read as follows:

13 Actions for damage to real property resulting from construction,
14 alteration, or repair on an adjacent property, whether alleging
15 negligence, strict liability, trespass, or any other cause of action,
16 must be commenced within two years after the property owner first
17 discovered or reasonably should have discovered the damage. Nothing in

1 this section may be construed as extending the period for bringing a
2 claim beyond the periods provided in RCW 4.16.300, 4.16.310, and
3 4.16.320.

--- END ---