

RCW 18.86.090 Vicarious liability. (Effective until January 1, 2024.) (1) A principal is not liable for an act, error, or omission by an agent or subagent of the principal arising out of an agency relationship:

(a) Unless the principal participated in or authorized the act, error, or omission; or

(b) Except to the extent that: (i) The principal benefited from the act, error, or omission; and (ii) the court determines that it is highly probable that the claimant would be unable to enforce a judgment against the agent or subagent.

(2) A broker is not liable for an act, error, or omission of a subagent under this chapter, unless that broker participated in or authorized the act, error or omission. This subsection does not limit the liability of a firm for an act, error, or omission by a broker licensed to the firm. [2013 c 58 § 10; 1996 c 179 § 9.]

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(2) Except to the extent that: (a) The principal benefited from the act, error, or omission; and (b) the court determines that it is highly probable that the claimant would be unable to enforce a judgment against the agent. [2023 c 318 § 9; 2013 c 58 § 10; 1996 c 179 § 9.]

Effective date—2023 c 318: See note following RCW 18.86.010.