

RCW 22.09.615 Action by depositor upon licensee's bond. (1) If no action is commenced under RCW 22.09.570 within thirty days after written demand to the department, any depositor injured by the failure of a licensee to comply with the condition of his or her bond has a right of action upon the licensee's bond for the recovery of his or her damages. The depositor shall give the department immediate written notice of the commencement of any such action.

(2) Recovery under the bond shall be prorated when the claims exceed the liability under the bond.

(3) Whenever the claimed shortage exceeds the amount of the bond, it is not necessary for any depositor suing on the bond to join other depositors in the suit, and the burden of establishing proration is on the surety as a matter of defense. [2011 c 336 s 641; 1983 c 305 s 53; 1963 c 124 s 37. Formerly RCW 22.09.370.]

Severability—1983 c 305: See note following RCW 20.01.010.