

**Chapter 11.64 RCW  
PARTNERSHIP PROPERTY**

**Sections**

- 11.64.002 Inventory—Appraisalment.
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- 11.64.040 Surviving partner may operate under agreement with estate—Termination.

**RCW 11.64.002 Inventory—Appraisalment.** Within three months after receiving written request from the personal representative the surviving partner or partners of the partnership shall furnish the personal representative with a verified inventory of the assets of the partnership. The inventory shall state the value of the assets as shown by the books of the partnership and list the liabilities of the partnership. At the request of the personal representative, the surviving partner or partners shall permit the assets of the partnership to be appraised, which appraisal shall include the value of the assets of the partnership and a list of the liabilities. [1977 ex.s. c 234 s 13; 1965 c 145 s 11.64.002. Prior: 1951 c 197 s 1; prior: (i) 1917 c 156 s 88; RRS s 1458. (ii) 1917 c 156 s 91; RRS s 1461.]

**Application, effective date—Severability—1977 ex.s. c 234:** See notes following RCW 11.20.020.

*Inventory of estate to identify decedent's share in partnership: RCW 11.44.015(1)(f).*

**RCW 11.64.008 Surviving partner may continue in possession.** The surviving partner or partners may continue in possession of the partnership estate, pay its debts, and settle its business, and shall account to the personal representative of the decedent and shall pay over such balances as may, from time to time, be payable to him or her. [2010 c 8 s 2054; 1977 ex.s. c 234 s 14; 1965 c 145 s 11.64.008. Prior: 1951 c 197 s 2.]

**Application, effective date—Severability—1977 ex.s. c 234:** See notes following RCW 11.20.020.

**RCW 11.64.016 Security may be required.** If the surviving partner or partners commit waste, or if it appears to the court that it is for the best interest of the estate of the decedent, such court may, after a hearing, order the surviving partner or partners to give security for the faithful settlement of the partnership affairs and

the payment to the personal representative of any amount due the estate. [1977 ex.s. c 234 s 15; 1965 c 145 s 11.64.016. Prior: 1951 c 197 s 3.]

**Application, effective date—Severability—1977 ex.s. c 234:** See notes following RCW 11.20.020.

**RCW 11.64.022 Failure to furnish inventory, list liabilities, permit appraisal, etc.—Show cause—Contempt of court—Receiver.** If the surviving partner or partners fail or refuse to furnish an inventory or list of liabilities, to permit an appraisal, or to account to the personal representative, or to furnish a bond when required pursuant to RCW 11.64.016, the court shall order a citation to issue requiring the surviving partner or partners to appear and show cause why they have not furnished an inventory list of liabilities, or permitted an appraisal or why they should not account to the personal representative or file a bond. The citation shall be served not less than ten days before the return day designated therein, or such shorter period as the court upon a showing of good cause deems appropriate. If the surviving partner or partners neglect or refuse to file an inventory or list of liabilities, or to permit an appraisal, or fail to account to the court or to file a bond, after they have been directed to do so, they may be punished for a contempt of court as provided in chapter 7.21 RCW. Where the surviving partner or partners fail to file a bond after being ordered to do so by the court, the court may also appoint a receiver of the partnership estate under chapter 7.60 RCW, and may order the costs and expenses of the proceedings to be paid out of the partnership estate or out of the estate of the decedent, or by the surviving partner or partners personally, or partly by each of the parties. [2004 c 165 s 39; 1989 c 373 s 15; 1977 ex.s. c 234 s 16; 1965 c 145 s 11.64.022. Prior: 1951 c 197 s 4.]

**Purpose—Captions not law—2004 c 165:** See notes following RCW 7.60.005.

**Application, effective date—Severability—1977 ex.s. c 234:** See notes following RCW 11.20.020.

**RCW 11.64.030 Surviving partner or partners may purchase deceased's interest—Valuation—Conditions of sale—Protection against partnership liabilities.** The surviving partner or the surviving partners jointly, shall have the right at any time to petition the court to purchase the interests of a deceased partner in the partnership. Upon a hearing pursuant to such petition the court shall, in such manner as it sees fit, determine and by order fix the value of the interest of the deceased partner over and above all partnership debts and obligations, the price, terms, and conditions of such sale and the period of time during which the surviving partner or partners shall have the prior right to purchase the interest of the deceased partner. If any such surviving partner be also the personal representative of the estate of the deceased partner, such fact shall not affect his or her right to purchase, or to join with the other

surviving partners to purchase such interest in the manner hereinbefore provided.

The court shall make such orders in connection with such sale as it deems proper or necessary to protect the estate of the deceased against any liability for partnership debts or obligations. [2010 c 8 s 2055; 1977 ex.s. c 234 s 17; 1965 c 145 s 11.64.030. Prior: 1951 c 197 s 5; prior: 1917 c 156 s 89; 1859 p 186 ss 120-130; 1854 p 274 ss 46-53; RRS s 1459.]

**Application, effective date—Severability—1977 ex.s. c 234:** See notes following RCW 11.20.020.

**RCW 11.64.040 Surviving partner may operate under agreement with estate—Termination.** The court may, in instances where it is deemed advisable, authorize and direct the personal representative of the estate of a deceased partner to enter into an agreement with the surviving partner or partners under which the surviving partner or partners may continue to operate any going business of the former partnership until the further order of the court. The court may, in its discretion, revoke such authority and direction and thereby terminate such agreement at any time by further order, entered upon the application of the personal representative or the surviving partner or partners or any interested person or on its own motion. [1965 c 145 s 11.64.040. Prior: 1951 c 197 s 6; prior: 1917 c 156 s 90; 1859 p 186 ss 120-130; 1854 p 274 ss 46-53; RRS s 1460.]