RCW 36.35.150 Tax-title property may be disposed of without bids in certain cases—Disposal for affordable housing purposes. (1) The county legislative authority may dispose of tax foreclosed property by private negotiation, without a call for bids, for not less than the principal amount of the unpaid taxes in any of the following cases: (a) When the sale is to any governmental agency and for public purposes; (b) when the county legislative authority determines that it is not practical to build on the property due to the physical characteristics of the property or legal restrictions on construction activities on the property; (c) when the property has an assessed value of less than $500 and the property is sold to an adjoining landowner; (d) when no acceptable bids were received at the attempted public auction of the property, if the sale is made within 12 months from the date of the attempted public auction; or (e) when the sale is to an entity operating a land bank authority under RCW 35.108.030.

(2) A county legislative authority must prioritize the transfer of tax foreclosed property to an entity operating a land bank authority under RCW 35.108.030.

(3) Except when a county legislative authority purchases the tax foreclosed property for public purposes or transfers the tax foreclosed property to an entity operating a land bank authority under RCW 35.108.030, the county legislative authority must give notice to any city in which any tax foreclosed property is located within at least 60 days of acquiring such property, and the county may not dispose of the property at public auction or by private negotiation before giving such notice. The notice must offer the city the opportunity to purchase the property for the original minimum bid under RCW 84.64.080, together with any direct costs incurred by the county in the sale. If the city chooses to purchase the property, the following conditions apply:

(a) The city must accept the offer within 30 days of receiving notice, unless the county agrees to extend the offer;

(b) The city must provide that the property is suitable and will be used for an affordable housing development as defined in RCW 36.130.010; and

(c) The city must agree to transfer the property to a local housing authority, land bank authority, or nonprofit entity eligible to receive assistance from the affordable housing program under chapter 43.185A RCW. The city must be reimbursed by the housing authority, land bank authority, or nonprofit entity for the amount the city paid to purchase the property together with any direct costs incurred by the city in the transfer to the housing authority, land bank authority, or nonprofit entity. [2026 c 233 s 6; 2016 c 63 s 1; 2001 c 299 s 11; 1997 c 244 s 2; 1993 c 310 s 2; 1961 c 15 s 84.64.320. Prior: 1947 c 238 s 1; Rem. Supp. 1947 s 11295-1. Formerly RCW 84.64.320.]

Findings—Intent—2026 c 233: See RCW 35.108.010.

Effective date—1997 c 244: See note following RCW 84.36.015.