

# “Cure” Procedure

45 days before lawsuit is filed:

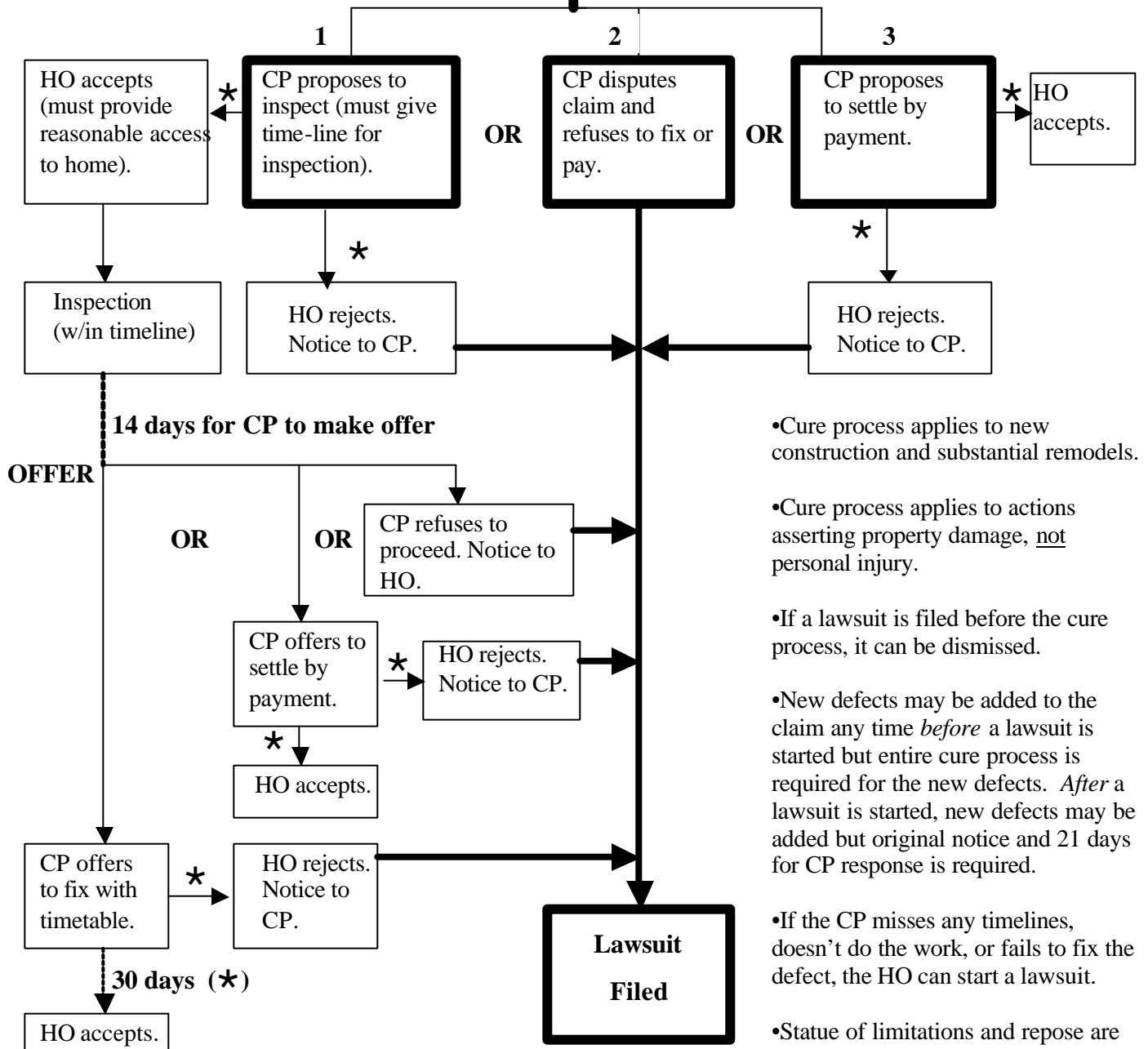
Homeowner (HO) sends notice of defect(s) to construction professional (CP). HO must describe defect(s) in sufficient detail.

**Construction Professional (CP) =**

Architect  
Builder  
Builder Vendor  
Contractor  
Sub Contractor  
Engineer  
Inspector  
Dealer (condo)  
Declarant (condo)

\* - If HO doesn't respond to CP's offer within 30 days, CP can terminate offer by written notice.

21 days for CP to respond in one of three ways:



•Cure process applies to new construction and substantial remodels.

•Cure process applies to actions asserting property damage, not personal injury.

•If a lawsuit is filed before the cure process, it can be dismissed.

•New defects may be added to the claim any time *before* a lawsuit is started but entire cure process is required for the new defects. *After* a lawsuit is started, new defects may be added but original notice and 21 days for CP response is required.

•If the CP misses any timelines, doesn't do the work, or fails to fix the defect, the HO can start a lawsuit.

•Statue of limitations and repose are tolled during the cure process.

Entire text of SSB 6409 is online at <http://www.leg.wa.gov/wsladm/bills.cfm>