



WHATCOM COUNTY COUNCIL

TO: WHATCOM COUNTY COUNCIL
FROM: COUNCIL STAFF
DATE: MARCH 30, 2022
RE: C-PACER PROGRAM GUIDE UPDATE IN COORDINATION WITH AMENDMENT TO
WHATCOM COUNTY CODE SECTION 16.50.090

Proposed amendments to Whatcom County's C-PACER Program (Whatcom County Code Section 16.50.090) will bring county code into compliance with new guidance from the state legislature.

WHATCOM COUNTY CODE UPDATE

During the state legislature's 2022 regular session, Senate Bill 5862 was signed into law, amending RCW 36.165.060 (C-PACER liens). The bill clarifies responsibilities of capital providers of C-PACER funds to include billing, collections, and enforcement of delinquent C-PACER liens or assessment installments. It authorizes a C-PACER lien to be foreclosed in the same manner as a mortgage lien rather than in the same manner as delinquent property taxes, and it specifies the order in which proceeds of the foreclosure sale of the property must be applied.

WHATCOM COUNTY C-PACER PROGRAM GUIDEBOOK UPDATE

In accordance with Whatcom County Code section 16.50.080(B), the program guidebook and forms may be updated by the program administrator without approval of the Whatcom County Council so long as it complies with Whatcom County Code Chapter 16.50 and Chapter 36.165 RCW. The following sections are being updated to coordinate with Chapter 36.165 RCW are needed to the Whatcom County C-PACER Guidebook:

- Program Guidebook (p.10); including 8. Billing and Collection of Assessments, and 9. Enforcement of C-PACER Lien
- Exhibit 2: Assessment Agreement; Section 4. Collection of Assessment: Foreclosure
- Exhibit 4: Assignment of Notice of Assessment Interest; Page 1

Please contact Cathy Halka, Legislative Analyst, at ext. 5019 with any questions.