

EXEMPTION DETERMINATION 2017-1

for

Thurston County Auditor in Washington State

July 28, 2017

WHEREAS, Chapter 40.24.050 of the Revised Code of Washington (RCW), and regulations adopted under chapter 434-840-070 of the Washington Administrative Code (WAC), provide for substitute address acceptance exemption determinations by the Secretary of State;

WHEREAS, Regulations adopted under chapter 434-840-100 of the Washington Administrative Code (WAC) prevent public access to two normally public government records: voter registration and marriage licenses.

WHEREAS, a certified participant in the Washington State Address Confidentiality Program (ACP) is authorized to use a designated substitute address when creating a new public record with a state or local government agency;

WHEREAS, Chapter 65.04 RCW establishes bona fide statutory requirements for county auditors to record and make public the names of grantors and grantees of real property in Washington State, and the abbreviated legal description and assessor's property tax parcel number of real property transacted;

WHEREAS, neither 65.04 RCW nor 40.42 RCW permit use of a substitute address in records of real property transactions;

WHEREAS, the Thurston County Auditor has provided all necessary information and met all criteria established by regulation for an exemption for recording of records of real property transactions;

WHEREAS, the Secretary of State finds that this exemption is consistent with and affirms the legislative intent stated in RCW 40.24.010; and

WHEREAS, the Secretary of State finds that this exemption is consistent with and promotes effective implementation of the Address Confidentiality Program;

NOW THEREFORE, the Secretary of State determines that:

- (1) The Thurston County Auditor in Washington State has a bona fide requirement for the actual address information of persons involved in the sale and purchase of real property;
- (2) The county auditor is exempt from the requirement established by Chapter 40.24.050 RCW to accept a designated substitute address for an ACP participant for the purpose of recording deeds of sale in transactions of real property;

PROVIDED THAT:

- (1) An ACP participant's actual address information, provided for the purpose of recording deeds of sale in transactions of real property, is used only for the purpose of recording and maintaining these records.

DATED this 28th day of July, 2017

Colleen Averette

[Name of authorized signer]

Office of the Secretary of State