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INSTRUCTIONS FOR FILING A CLAIM ON A CONTRACTOR'S BOND

In Clark County Superior Court

These instructions are for informational purposes only and do not constitute legal advice. If you do not understand this information, please contact an attorney.

About this Packet:

If a contractor (or subcontractor) breaches a construction contract or performs inferior or negligent work, homeowners and other authorized parties have the option of making a claim against the contractor's bond. [RCW 18.27.040\(3\)](#).

This packet covers how to **initiate** the claim. If the contractor chooses to dispute the claim through litigation you should consult an attorney.

This packet **does not** cover filing suit against an electrical contractor.

General Information:

- Contractors are required to file a surety bond with the Department of Licensing. General contractors are required to have a \$12,000 bond and subcontractors a \$6000 bond. [RCW 18.27.040\(a\)](#).
- The amount of the claim by a homeowner is limited to up to the amount of the bond. The amount for suppliers, workers and other claimants is up to half of the value of the bond (not to exceed \$4000). [RCW 18.27.040\(5\)](#).
- Attorney's fees and costs may be available for your claim.

- A homeowner must file within 2 years of the date that the claimed work was substantially completed or abandoned. Suppliers, workers and other claimants must file within 1 year of the date that the claimed work was substantially completed or abandoned.
- The surety bond will only cover claims included in [RCW 18.27.040](#)
- The suit is generally filed in Superior Court in the county where the work was performed.
- For additional information on claims on construction contract bonds, see [RCW chapter 18.27.040](#) & [WAC 296-200A-080](#).

Important Terms

◇ Complaint	The legal document that initiates a legal action for the claim
◇ Plaintiff(s)	The person(s) filing the Complaint and initiating the claim
◇ Defendant(s)	The person(s) against whom the Complaint has been filed.
◇ Service of Process	The legal means of notifying the Defendant that a lawsuit has been filed against him. Service of process requires that the Defendant receive a copy of the Complaint and be provided the opportunity to respond.

Costs & Fees

There are many costs associated with filing a lawsuit. In a claim on a construction contractor's bond you should expect to pay the \$240 civil filing fee, a \$52 processing fee to the Washington Department of Licensing and other costs such as fees to make multiple copies of documents.

For a list of Clark County Superior Court filing fees, visit

<https://www.clark.wa.gov/clerk/fee-schedule>