

**KITSAP COUNTY CLERK'S OFFICE
PROCEDURE**

CIVIL EXECUTION ON A CONTRACTOR'S BOND

**RCW 18.27
RCW 18.27.040**

- Prior to filing with the Clerk's office, the plaintiff should determine the registration number and the business license number of the defendant by contacting the Department of Labor & Industries:

Contractor's Registration Section
PO Box 44450
Olympia, WA 98504-4450
(360) 902-5226

- File Summons and Complaint as a civil action. The filing fee is \$230.00.
- Plaintiff should make four copies of the Summons & Complaint. Original is filed with the Court. At least three copies are sent by certified mail to the Dept. of Labor & Industries (along with a check for \$50) for service upon the bonding company, the business, or business partners. Banks are not notified at this time.
- The Dept. of Labor & Industries will serve all named parties.
- Upon proof of service by the Dept. of Labor & Industries, if the Defendant has not answered and more than twenty days have passed (in-state service) the plaintiff is entitled to a default judgment. If the matter is contested the defendant will have filed an Answer and the matter will require further litigation.



**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP**

_____,
Plaintiff(s),

No. _____

vs.

**SUMMONS
(20 Days)**

_____,
Defendant(s).

TO THE DEFENDANT:

A lawsuit has been started against you in the above-entitled Court by _____, Plaintiff. Plaintiff=s claim is stated in the written complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing, serve a copy upon the person signing this Summons within 20 days after the service of this summons, excluding the day of service, and file a copy with the Court above-named. If you do not, a default judgment may be entered against you without prior notice. A default judgment is one where Plaintiff is entitled to what he asks for because you have not responded. If you serve a Notice of Appearance on the undersigned person, you are entitled to notice before a default judgment may be entered.

You may demand that the Plaintiff file this lawsuit with the Court. If you do so, the demand must be in writing and must be served upon the person signing this summons. Within fourteen (14) days after you serve the demand, the Plaintiff must file this lawsuit with the Court, or the service on you of this summons and complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served and filed with the Court on time.

This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of Washington.

Dated: _____

Signature of Plaintiff



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP

Plaintiff(s),

vs.

Defendant(s).

No. _____

**COMPLAINT FOR MONEY
DUE AND TO ENFORCE
CLAIM AGAINST
CONTRACTOR=S BOND**

COMES NOW PLAINTIFF, _____, by and through its attorney of record, _____, and alleges as follows:

I.

Defendant(s), _____, is/are a single person OR are husband and wife and constitute a marital community under the laws of the State of Washington, and do business as _____, and is/are licensed under contractor=s license number _____.

II.

Defendant(s), _____, is/are an insurance corporation, and pursuant to the provisions of RCW 18.27, effective 10-31-97, above-named Defendant(s) has filed a surety bond running to the State of Washington, conditioned that the Defendant(s) would pay all persons and subcontractors furnishing labor and materials to said Defendant(s).

The Plaintiff(s) falls/fall within the category of creditors designated to be protected by the provisions of said statute.

III.

From _____ (date) to _____ (date) the Plaintiff rendered services and/or furnished certain materials to the defendant _____ to be used on a specific job on which there is _____ (balance amount, interest amount, accrual date, etc.).

IV.

Defendant, _____, is liable to the Plaintiff on its bond for the payment of said debt and obligation.

WHEREFORE, Plaintiff prays for judgment against the Defendant(s), in the principal amount of _____, accrued interest of _____ accrued through (date) _____, and thereafter at the rate of 12% per annum plus attorney fees of _____, or such greater amount as the Court may allow, together with its costs and disbursements herein; and for judgment against _____ as surety for said obligation under the provisions of the bond number _____.

Dated: _____

Signature of Plaintiff