

## What is an Innocent Purchaser?

An innocent purchaser, as defined by Thurston County Code (TCC) 18.08.178, is an individual who has purchased real property for market value without receiving actual notice that the lot was not legally created. The legal methods to create a lot are found in TCC Title 18. A lot not created in a legal manner and subsequently acquired by an innocent purchaser, as so determined by the Thurston County Hearing Examiner after a properly noticed public hearing, may be deemed legal. Each purchaser or transferee may recover his or her damages from any person, firm, corporation, or agent selling or transferring land in violation of TCC Title 18 (18.48.030).

## How Do I Apply?

Submit a completed application package to the Building Development Center with the applicable fee. Complete package requirements are outlined on the application.

To apply for innocent purchaser status, the owner must also file a notarized affidavit with the Community Planning & Economic Development Department attesting to the following:

1. The lot was purchased at market value not reflecting the illegal division;
2. The purchaser exercised reasonable diligence but did not know of the illegal division; and
3. The purchaser has not previously been granted innocent purchaser status by Thurston County.

## Review Process and Timing

The Innocent Purchaser application is reviewed under the Type III procedure. The review time can be up to 148 days. The review time may take longer if a request for additional information is required. Workload may also affect the timeline. This is a public notification and hearing process. The approval authority is the Hearing Examiner for Thurston County.

## Appeals

All decisions may be appealed. Innocent Purchaser decisions are considered final if not appealed to the Board of Commissioners within 14 calendar days from the date of decision. There is a fee for an appeal.

## Recording

The Hearing Examiner's decision will be recorded with the County Auditor's Office after the appeal period has expired. The applicant is responsible for paying the recording fee regardless of the decision.

## I Still Have Questions...

The information in this bulletin is a general guideline of the procedures and rules. You should not rely on the bulletin to identify the specific requirements for your project. For additional information, speak with a staff member at the Building Development Center. Contact information is listed below. You may also review all Thurston County Codes online on the County website referenced at the bottom of this page.

### Building Development Center

2000 Lakeridge Drive SW, Bldg 1, Second Floor; Olympia, WA 98502

Phone: (360) 786-5490; TYY/TDD Line: 711 or 1-800-833-6388; Fax: (360) 754-2939

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