



TACOMA HOUSING AUTHORITY

RESOLUTION 2007-6-27(3)

DATE: June 27, 2007
TO: Board of Commissioners
FROM: Michael Mirra, Executive Director
RE: Approval of Executive Director as THA's Designated Agent

BACKGROUND

Before someone can sue a local governmental entity (i.e. all cities, towns, counties, public hospitals, school districts and all other municipal or quasi-municipal corporations) for damages, chapter 4.96 RCW provides that the claimant first file a claim with the local governmental entity's designated agent. For tort claims, the local governmental entity will then have 60 days to consider the claim before the claimant can file suit. If a claimant fails to comply with the filing requirement before filing a lawsuit, the local governmental entity can have the lawsuit dismissed.

The legislature has recently added additional steps that a local governmental entity must take before it can rely on the claims-filing statute. Under RCW 4.96.020(2), the identity of the local governmental entity's designated agent and service address must be recorded with the county auditor. Under the change made by the 2006 Legislature, "The failure of a local governmental entity to comply with the requirements of this section precludes that local governmental entity from raising a defense under this chapter." RCW 4.96.020(2).

In order to comply with the "new" requirements, THA must register its designated agent with the county auditor.

RECOMMENDATION

I recommend that the Board adopt Resolution 2007-6-27(3) to formally authorize the Executive Director to be registered as THA's designated agent.



TACOMA HOUSING AUTHORITY

RESOLUTION 2007-6-27(3)

REGISTERING THA'S DESIGNATED AGENT

Whereas, The Housing Authority of the City of Tacoma ("Authority") desires to comply with the provisions of RCW 4.96.020(2) and receive the full benefits thereunder; and

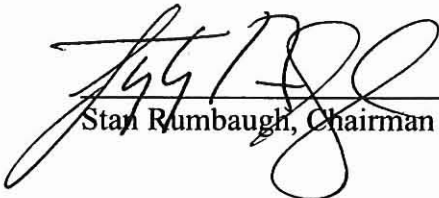
Whereas, the Authority must register its "designated agent" with the County Auditor in order to comply with RCW 4.96.020(2); and

Whereas, the Authority considers the position of the Executive Director to be the appropriate "designated agent",

Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington, that:

The Board of Commissioners authorizes the position of Executive Director to be registered as the "Designated Agent" of the Housing Authority of the City of Tacoma.

Approved: June 27, 2007


Stan Rumbaugh, Chairman