

STATUTES OF LIMITATION AND REPOSE IN CONSTRUCTION CONTRACT CASES

A statute of limitations bars claimant from bringing an accrued claim after a certain number of years.
 A statute of repose terminates a claim even if it has not yet accrued.

**RCW 4.16.080
 3 YEAR STATUTE**



CAUSES OF ACTION:

- 1. ACTIONS UPON AN ORAL CONTRACT – STATUTE RUNS AT TIME OF BREACH AND MAY BE SUBJECT TO THE DISCOVERY RULE. SEE RCW 4.16.326(1)(g).

**RCW 4.16.040
 6 YEAR STATUTE**



CAUSES OF ACTION:

- 1. ACTIONS UPON WRITTEN CONTRACT – STATUTE RUNS AT TIME OF BREACH OR TERMINATION OF SERVICES (NOT PUNCHLIST).

**RCW 4.16.300
 STATUTE OF REPOSE**

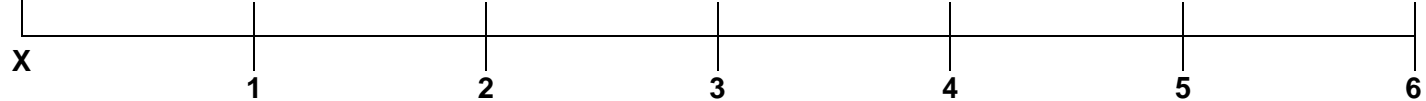


CAUSES OF ACTION:

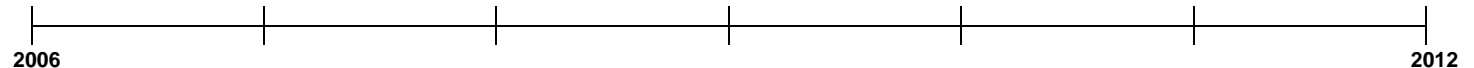
- 1. ANY – STATUTE RUNS AT SUBSTANTIAL COMPLETION OR TERMINATION OF SERVICES (WHICHEVER IS LATER).

CLAIMANT'S CAUSE OF ACTION MUST ACCRUE HERE OR IS BARRED

**SUBSTANTIAL
 COMPLETION**



CLAIM ANALYSIS



NOTE: Public owner's claims and arbitrated claims may not be subject to statutes of limitation.