

---

**SUBSTITUTE SENATE BILL 6294**

---

**State of Washington**

**62nd Legislature**

**2012 Regular Session**

**By** Senate Financial Institutions, Housing & Insurance (originally sponsored by Senators Pridemore, Benton, and Carrell)

READ FIRST TIME 02/01/12.

1 AN ACT Relating to quorum requirements for homeowners' association  
2 meetings; and amending RCW 64.38.040.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 64.38.040 and 1995 c 283 s 8 are each amended to read  
5 as follows:

6 (1) Unless the governing documents specify a different percentage,  
7 a quorum is present throughout any meeting of the association if the  
8 owners to which thirty-four percent of the votes of the association are  
9 allocated are present in person or by proxy at the beginning of the  
10 meeting.

11 (2) If the governing documents specify a percentage higher than  
12 thirty-four percent for a quorum for any meeting of the association,  
13 any owner in that association, who has at least ten percent of the  
14 votes in the association, or at least three owners in the association  
15 with ten or less residential real properties, may petition the court of  
16 local jurisdiction in the county where the association is located to  
17 lower the quorum requirement to thirty-four percent of the votes of the  
18 association by first meeting the following requirements:

- 1       (a) Send certified letters to all owners of record in the  
2 association, as listed in the county assessor's office, of the intent  
3 to petition to lower the quorum requirements;  
4       (b) Give all owners in the association three months to respond to  
5 the letter. A lack of a response from an owner is deemed an agreement  
6 with the petition; and  
7       (c) Collect owner responses and document a good faith effort to  
8 contact all owners.  
9       (3) This section applies retroactively to any governing documents  
10 in effect on the effective date of this section.

--- END ---