

FINAL BILL REPORT

SSB 6042

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SYNOPSIS AS ENACTED

Brief Description: Revising the Washington condominium act.

SPONSORS: Senate Committee on Law & Justice (originally sponsored by Senators Nelson and Rasmussen)

SENATE COMMITTEE ON LAW & JUSTICE

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

In 1987, the Legislature created the Condominium Task Force, a statutory committee, to update the former statute governing the creation of condominiums (the Horizontal Property Regimes Act) in accordance with the Uniform Condominium Act. The task force was comprised of representatives of condominium associations, developers, mortgage bankers, title companies, realtors, consumers, attorneys, and county assessors. The Washington Condominium Act was drafted by the Condominium Task Force and enacted by the Legislature in 1989. The act went into effect on July 1, 1990.

Additional refinements to the Washington Condominium Act are proposed.

SUMMARY:

The definition of "declarant control" is amended to include the right to veto or approve proposed board action.

A procedure for reserving the exclusive right to use a particular condominium name is established.

The requirement that each possible development right reserved in the declaration be labeled on the survey map and plans is deleted. In addition, the survey map and plans need not show the thickness of walls, floors, and ceilings which constitute the vertical and horizontal boundaries of units.

Only the purchaser at a foreclosure sale, not the foreclosing party, may exercise the right reserved in the declaration to withdraw property from the condominium.

The use of subassociations is expressly authorized.

The public offering statement need only disclose material differences between a model unit and the unit being sold that involve furnishings, finishes, and equipment. The public

offering statement must contain any independent engineering report and local government inspection report required by other provisions of the act.

If a unit in a conversion condominium is offered for sale at a more favorable price and better terms than the initial offer to sell, the residential tenant of that unit must be given an opportunity to purchase the unit at the more favorable price and better terms. A local housing code inspection is not required for a conversion condominium that is less than two years old. Additional and/or excessive fees may not be imposed for a routine inspection.

The implied warranty of a declarant or dealer is limited to those improvements made or contracted for by the declarant or dealer.

Technical changes in language are added for clarification purposes.

A condominium association cannot charge more than \$150 for the preparation of a resale certificate. The association may, however, charge a nominal fee for updating a certificate within six months of the unit owner's previous request.

It is clarified when the thickness of vertical boundaries need not be shown in a survey map and plans of a condominium.

VOTES ON FINAL PASSAGE:

Senate	42	0	
House	96	0	(House amended)
Senate	46	1	(Senate concurred)

EFFECTIVE: June 11, 1992