

3131

Sponsor(s): Representatives Tom and Priest

Brief Description: Providing for insured warranty standards for condominiums.

HB 3131 - DIGEST

Declares that no declarant, affiliate of a declarant, or construction professional is liable to a unit owner or an association for breach of any implied warranty set forth in RCW 64.34.445, or otherwise with respect to a construction defect in the unit owner's unit, or in the common or limited common elements in the condominium if: (1) Every unit owned by a person other than a declarant has a qualified warranty issued to the unit purchaser; and

(2) The association has been issued a qualified warranty with respect to the common elements for the condominium on or before the transition date.

Provides that, if a construction professional agrees on terms satisfactory to the qualified insurer to partially or fully indemnify the qualified insurer with respect to a construction defect caused by the construction professional, and agrees with the declarant and the qualified insurer to be joined in an arbitration under the terms of the qualified warranty, the liability of the construction professional for the construction defect caused by him or her is limited to damages recoverable under the terms of the qualified warranty for the construction defect.