

HB 2801 - H AMD 865

By Representative Chase

ADOPTED 2/14/2006

1 On page 2, line 15, after "(2)" insert "Upon the board's
2 receipt of a written request by a member of the association that
3 the board exercise its amending authority granted under subsection
4 (1) of this section, the board must, within a reasonable time,
5 amend the governing documents, as provided under this section.
6 (3)"

7 Renumber the remaining subsections consecutively.

8 On page 3, after line 16, insert the following:

9 "(7) Except as otherwise provided in subsection (2) of this
10 section: (a) Nothing in this section creates a duty on the part of
11 owners, occupants, tenants, associations, or boards to amend the
12 governing documents as provided in this section, or to bring an
13 action as authorized under this section and RCW 49.60.227; and (b)
14 An owner, occupant, tenant, association, or board is not liable for
15 failing to amend the governing documents or to pursue an action in
16 court as authorized under this section and RCW 49.61.227."

EFFECT: Requires a homeowner association board to amend its governing documents upon the written request of a homeowner; Provides that absent a written request, a board has no duty to amend its governing documents and is not liable for failing to do so.