
SENATE BILL 6201

State of Washington

59th Legislature

2006 Regular Session

By Senator Fairley

Read first time 01/09/2006. Referred to Committee on Financial Institutions, Housing & Consumer Protection.

1 AN ACT Relating to the creation of a homeowners' association act
2 committee; adding a new section to chapter 64.38 RCW; creating a new
3 section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The homeowners' association act
6 committee is created. The purpose of the committee is to review the
7 homeowners' association act, chapter 64.38 RCW, the uniform common
8 interest ownership act, and current issues concerning homeowners'
9 associations as defined in RCW 64.38.010 including, without limitation,
10 the method and manner of amending restrictive covenants, voting,
11 communications between homeowners' association boards and association
12 members, the budget ratification process, potential conflicts between
13 the homeowners' association act and other laws that may be applicable
14 to the organizational form of the association, and the need for reforms
15 regarding the process, in which liens are placed on property for unpaid
16 association dues against a new seller for a previous owner's
17 delinquencies, as well as a review of the required disclosures on the
18 sale of real property within a homeowners' association.

19 (2) The committee shall consist of the following ten members:

1 (a) Two members of the senate appointed by the president of the
2 senate, one of the majority party and one of the minority party;

3 (b) Two members of the house of representatives appointed by the
4 speaker of the house of representatives, one of the majority party and
5 one of the minority party; and

6 (c) The following six members appointed by the governor:

7 (i) A representative of the Washington state chapter of the
8 community associations institute;

9 (ii) A representative of the Washington homeowners' coalition;

10 (iii) A representative of the residential development industry;

11 (iv) A lawyer experienced in representing the interests of
12 homeowners' associations in their dealings with homeowners;

13 (v) A lawyer experienced in representing the interests of
14 homeowners in their dealings with the boards of homeowners'
15 associations; and

16 (vi) A person, who shall serve as the chair of the committee, who
17 has expertise in homeowners' association law.

18 (3) Legislative members of the committee shall be reimbursed for
19 travel expenses in accordance with RCW 44.04.120. Nonlegislative
20 members, except those representing an employer or organization, are
21 entitled to be reimbursed for travel expenses in accordance with RCW
22 43.03.050 and 43.03.060.

23 (4) The committee shall examine the issues referenced in subsection
24 (1) of this section and whether any changes should be made to the
25 homeowners' association act. The committee shall deliver a report of
26 its findings and conclusions and any proposed implementing legislation
27 to the appropriate committees of the senate and house of
28 representatives by December 31, 2006.

29 (5) This section expires December 31, 2006.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 64.38 RCW
31 to read as follows:

32 This chapter may be known and cited as the homeowners' association
33 act.

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