

SENATE BILL REPORT

SB 6875

As Reported By Senate Committee On:
Consumer Protection & Housing, February 07, 2008

Title: An act relating to creation of the condominium act governance task force.

Brief Description: Creating the condominium act governance task force.

Sponsors: Senator Tom.

Brief History:

Committee Activity: Consumer Protection & Housing: 2/5/08, 2/7/08 [DP].

SENATE COMMITTEE ON CONSUMER PROTECTION & HOUSING

Majority Report: Do pass.

Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Honeyford, Ranking Minority Member; Delvin, Haugen, Jacobsen, Kilmer, McCaslin and Tom.

Staff: Vanessa Firnhaber-Baker (786-7471)

Background: Condominiums are real estate where a portion of the land is divided up into units, which are owned separately by individual owners, and the remainder of the land is owned by all of the unit owners jointly.

Under Washington's Condominium Act (Act), a condominium must have a unit owners' association. The association governs the condominium through its board of directors. The Act gives the association the power to, among other things, adopt budgets; improve the common areas; impose assessments; and adopt and amend bylaws, rules, and regulations.

Summary of Bill: The condominium act governance task force is created. The task force will study the Act's provisions regarding condominium governance, other states' statutes regulating condominium associations, and other model statutes that the task force believes relevant. The task force must also take public testimony. If the task force determines that the Act's provisions regulating governance could be improved, it must draft proposed legislation.

The task force will have ten members. The Speaker of the House of Representatives and the Majority Leader of the Senate must each appoint one member and jointly they must appoint eight nonlegislative members of the task force. The nonlegislative members will include three condominium unit owners, three condominium association board members, and two attorneys with expertise in condominium governance.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Senate Committee Services and Office of Program Research will provide staff support for the task force.

The task force will report its findings and any proposed legislation to the Legislature by September 10, 2008.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The Condominium Act does need to be revised and modernized. It would be especially helpful if the task force examined issues of energy conservation in condominiums because some prohibit solar panels.

OTHER: There is already a task force of attorneys who are currently meeting to draft proposed legislation that would modernize the Condominium Act. That task force hopes to introduce legislation next session. We should try not to duplicate efforts

Persons Testifying: PRO: Jeff Finn, condominium unit owner.

OTHER: Joe McCarthy, Kantor Taylor McCarthy P.C.