

---

**SUBSTITUTE SENATE BILL 6744**

---

**State of Washington                      60th Legislature                      2008 Regular Session**

**By** Senate Consumer Protection & Housing (originally sponsored by  
Senators Fraser and Fairley)

READ FIRST TIME 02/07/08.

1            AN ACT Relating to homeowners' associations; creating new sections;  
2 and providing an expiration date.

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

4            NEW SECTION.    **Sec. 1.** By December 10, 2008, the department of  
5 community, trade, and economic development shall conduct a study to  
6 determine the efficacy of creating a state agency run homeowners'  
7 association ombudsman office, which would provide dispute resolution  
8 services and information to homeowners about their rights and duties  
9 under chapter 64.38 RCW. The study must include:

10            (1) The estimated number of Washington residents that live in  
11 communities or cooperatives subject to chapter 64.38 RCW;

12            (2) The estimated number of owners who would take advantage of the  
13 ombudsman office;

14            (3) The estimated expense of creating and running the ombudsman  
15 office; and

16            (4) A determination based on a cost-benefit analysis of whether the  
17 ombudsman office should be created.

18            If the department determines that an ombudsman office should be

1 created, the study must also include recommendations for procedures  
2 that the ombudsman office should follow when providing dispute  
3 resolution services.

4 NEW SECTION. **Sec. 2.** (1) The homeowners' association declarations  
5 task force is created with ten members as provided in this subsection.

6 (a) The majority leader of the senate shall appoint one member from  
7 the senate.

8 (b) The speaker of the house of representatives shall appoint one  
9 member from the house of representatives.

10 (c) The majority leader of the senate and the speaker of the house  
11 of representatives jointly shall appoint eight nonlegislative members  
12 of the task force, which shall include two board members representing  
13 two different homeowners' associations, three homeowners who own a home  
14 that is their primary residence in a community or cooperative that is  
15 governed by chapter 64.38 RCW, two attorneys with expertise in  
16 homeowners' association formation, and a representative from the  
17 department of community, trade, and economic development.

18 (2) The task force shall convene as soon as possible upon the  
19 appointment of its members. The task force shall elect a chair and  
20 adopt rules for conducting the business of the task force.  
21 Administrative and clerical support shall be provided by the department  
22 of community, trade, and economic development.

23 (3) Legislative members of the task force must be reimbursed for  
24 travel expenses in accordance with RCW 44.04.120.

25 (4) The task force shall conduct a review of declarations that have  
26 been used to form homeowners' associations in Washington state and  
27 other states.

28 (5) The task force shall draft model declarations, which declarants  
29 may appropriate to form homeowners' associations.

30 (6) By December 10, 2008, the task force shall provide a report of  
31 the model declarations to the department of community, trade, and  
32 economic development and to the legislature.

33 NEW SECTION. **Sec. 3.** This act expires December 31, 2008.

--- END ---