

SSB 6143 - S AMD 340

By Senators Schoesler, Zarelli, Carrell

NOT ADOPTED 03/06/2010

1 On page 93, after line 36, insert the following:

2 "Sec. 1802. RCW 82.04.394 and 1998 c 338 s 2 are each amended to
3 read as follows:

4 (1) This chapter does not apply to amounts received by a property
5 management company from the owner of a property for gross wages and
6 benefits paid directly to or on behalf of on-site personnel from
7 property management trust accounts that are required to be maintained
8 under RCW (~~(18.85.310)~~) 18.85.285.

9 (2) As used in this section, "on-site personnel" means a person who
10 meets all of the following conditions: (a) The person works primarily
11 at the owner's property; (b) the person's duties include leasing
12 property units, maintaining the property, collecting rents, or similar
13 activities; and (c) under a written property management agreement: (i)
14 The person's compensation is the ultimate obligation of the property
15 owner and not the property manager; (ii) the property manager is liable
16 for payment only as agent of the owner; and (iii) the property manager
17 is the agent of the owner with respect to the on-site personnel and
18 that all actions, including, but not limited to, hiring, firing,
19 compensation, and conditions of employment, taken by the property
20 manager with respect to the on-site personnel are subject to the
21 approval of the property owner."

22 On page 112, line 5, after "406," insert "1802,"

23 On page 112, after line 18, insert the following:

24 "NEW SECTION. **Sec. 2214.** Section 1802 of this act takes effect
25 June 1, 2015."

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly.

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3 On page 1, line 11 of the title, after "82.12.962," insert
4 "82.04.394"

EFFECT: Reinstates the B&O exemption for property management
salaries effective June 1, 2015.

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