

ESSB 6143 - S AMD 447

By Senators Marr, Hobbs

PULLED 03/19/2010

1 On page 88, after line 34, insert the following:

2 "NEW SECTION. **Sec. 1702.** A new section is added to chapter 82.04
3 RCW to 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 18.85.285.

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 106, line 1, after "406," insert "1702,"

23 On page 106, after line 14, insert the following:

24 "NEW SECTION. **Sec. 2214.** Section 1702 of this act takes effect
25 June 1, 2015."

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

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

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