

Homeowners' Association related Legislation from 2005-06 Biennium

Bill Number	Title	Prime Sponsor	Description	Action/ Status
SHB 1477 (See SCR 8423)	AN ACT Relating to homeowners' associations; and creating a new section.	Rep. Kagi	Creates a committee to review the Homeowners' Association Act and recommend to the legislature whether or not changes should be made to the Act.	Passed House Judiciary committee; did not pass House floor.
HB 2191	AN ACT Relating to limiting homeowners' associations authority to restrict the use of fire resistant roofing materials; amending RCW 64.38.020; and adding a new section to chapter 64.38 RCW	Rep. Nixon	Provides that the governing documents (CC&Rs) of a homeowners' association cannot prohibit an owner from using fire resistant roofing materials that are compatible with the architectural & structural design of the building, as well as the aesthetics of the community.	Referred to House Judiciary committee, not heard.
HCR 4409	Same as SHB 1477	Rep. Kagi	See above	Adopted in House. Did not pass out of Senate Rules.
SB 5547	AN ACT Relating to the dissolution of homeowners' associations; and adding a new section to chapter 64.38 RCW.	Senator Roach	Creates a dissolution process for homeowners' associations.	Heard in committee.
SSB 5559	AN ACT Relating to amendment of governing documents of a homeowners' association; and adding a new section to chapter 64.38 RCW.	Senator Pflug	Creates a judicial procedure to reduce the percentage of votes required to amend the CC&Rs of a homeowners' association.	Passed out of committee, not heard on floor.
SB 5560	AN ACT Relating to records of members of homeowners' associations; and amending RCW 64.38.045.	Senator Pflug	Provides that a board cannot disclose the e-mail address of an owner without that owner's consent.	Passed out of committee, not heard on floor.
SB 5561	AN ACT Relating to dispute resolution services for homeowners' associations; and adding a new section to chapter 64.38 RCW.	Senator Pflug	Reaffirms that an association or owner may voluntarily use alternative dispute resolution services to resolve conflicts related to homeowner association issues.	Heard in committee; no executive action.
SSB 6064	AN ACT Relating to homeowners' associations; and adding a new section to chapter 64.38 RCW	Senator Benton	The governing documents cannot prohibit an owner or resident's outdoor display of political yard signs; the placement & manner of display may be reasonably regulated.	Enacted.

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Bill Number	Title	Prime Sponsor	Description	Action/ Status
ESB 6169	Authorizing removal of discriminatory provisions in the governing documents of homeowners' associations	Senator Kohl-Welles	<p>Establishes a simplified process for homeowners' associations to amend their governing documents for the purpose of removing restrictive covenants. The governing documents may be amended by a simple majority vote of the association board.</p> <p>The existing judicial remedy is expanded to allow not only owners, occupants, and tenants to bring a cause of action to strike discriminating language, but the board is allowed also to bring a cause of action.</p>	Enacted in 2006.
SCR 8423 (SSB 6201)	Creating a Homeowners' Association Act Committee	Senator Fairley	Creates a committee to review the Homeowners' Association Act and recommend to the legislature whether or not changes should be made to the Act.	Passed the legislature in 2006.
SB 6202	Requiring arbitration for homeowners' association disputes	Senator Fairley	Makes arbitration of civil disputes, concerning homeowners' association issues, mandatory for the board, homeowners, occupants, or tenants.	Heard by Financial Institutions, Housing & Consumer Protection committee; no executive action taken.
SB 6228	Resolving conflicts between the statutes and governing documents of homeowners' associations	Senator Fairley	Clarifies which laws govern when there are conflicts between the Homeowners' Association Act, the applicable business entity statutes, and the association's governing documents.	Heard by Financial Institutions, Housing & Consumer Protection committee; no executive action taken.