

LAWMAKER REVIEW



BUILDING INDUSTRY
ASSOCIATION OF WASHINGTON
CHAMPIONS OF AFFORDABLE HOUSING

CONDO REFORM FOR SMALLER NUMBER OF UNITS

January 25, 2019

The Senate Law and Justice Committee is hearing two BIAW supported condo reform bills on Monday, Jan. 28. [SB 5334](#) and [SB 5219](#) both address condo liability. The goal of SB 5334's is to limit defect claims by:

1. Providing that damage should actually exist or be reasonably likely to happen.
2. Removing strict adherence to the building code as a warranty claim (the same as single-family homes rules).
3. Protecting condo association board members from personal liability when serving as an officer of the association.

BIAW will continue to work on SB 5334 to ensure the language is correct and actually accomplishes liability reform. There are also additional Uniform Common Ownership Interest Act tweaks to the legislation that was passed in 2018.

SB 5219, sponsored by Senator Padden (R-Spokane Valley) addresses condo reform for small unit condos by exempting projects with fewer than seven units from specific condo act provisions. This makes sense, especially since smaller number unit projects are typically built more closely to a single family home rather than a commercial high-rise structure.

These units also tend to be a lower price point and offer a path to homeownership for a broader segment of people. However, as it stands, these projects end up being more expensive and become rental units because of liability issues.