

RCW 84.36.042 Nonprofit organization, corporation, or association property used to provide housing for persons with developmental disabilities. (1) All real and personal property owned or leased by a nonprofit organization, corporation, or association to provide housing for eligible persons with developmental disabilities is exempt from property taxation, whether such housing is provided directly by the nonprofit organization, corporation, or association, or indirectly as allowed under (c) of this subsection.

(a) To qualify for this exemption, the nonprofit organization, corporation, or association must be qualified for exemption under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)). It must also have been organized for charitable purposes to create and preserve long-term affordable housing for low-income persons with developmental disabilities.

(b) The housing must be occupied by eligible persons who have a low income.

(c) Property that is owned or leased by a nonprofit organization, corporation, or association may be leased, sublet, or subject to a service agreement with a provider operating an adult family home under chapter 70.128 RCW that specifically provides services for persons with developmental disabilities, without regard to the nonprofit status of the operator of the adult family home.

(2) As used in this section:

(a) "Developmental disability" means the same as defined in RCW 71A.10.020;

(b) "Eligible person" means the same as defined in RCW 71A.10.020; and

(c) "Low income" means the adjusted gross income of the resident is at eighty percent or less of the median income adjusted for family size, as most recently determined by the federal department of housing and urban development for the county in which the housing is located and in effect as of January 1st of the assessment year for which the exemption is sought. "Adjusted gross income" is as defined in the federal internal revenue code of 1986, as it exists on June 11, 1998, or such subsequent date as the director may provide by rule consistent with the purpose of this section.

(3) To be exempt under this section, the property must be used exclusively for the purposes for which the exemption is granted, except as provided in RCW 84.36.805.

(4) If the real or personal property for which exemption is sought is leased, the benefit of the exemption must inure to the nonprofit organization, corporation, or association leasing the property to provide the housing for persons with developmental disabilities. [2023 c 69 § 1; 1998 c 202 § 1.]

Application—2023 c 69: "This act applies to taxes levied for collection beginning January 1, 2024." [2023 c 69 § 4.]

Tax preference performance statement exemption—Automatic expiration date exemption—2023 c 69: "RCW 82.32.805 and 82.32.808 do not apply to this act." [2023 c 69 § 5.]