

RCW 64.35.105 Definitions. (Effective until January 1, 2028.)

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Affiliate" has the meaning in RCW 64.90.010.
- (2) "Association" has the meaning in RCW 64.90.010.
- (3) "Building envelope" means the assemblies, components, and materials of a building that are intended to separate and protect the interior space of the building from the adverse effects of exterior climatic conditions.
- (4) "Common element" has the meaning in RCW 64.90.010.
- (5) "Condominium" has the meaning in RCW 64.90.010.
- (6) "Construction professional" has the meaning in RCW 64.50.010.
- (7) "Conversion condominium" has the meaning in RCW 64.90.010.
- (8) "Declarant" has the meaning in RCW 64.90.010.
- (9) "Declarant control" has the meaning in RCW 64.90.010.
- (10) "Defect" means any aspect of a condominium unit or common element which constitutes a breach of the implied warranties set forth in RCW 64.34.445 or 64.90.670.
- (11) "Limited common element" has the meaning in RCW 64.90.010.
- (12) "Material" means substantive, not simply formal; significant to a reasonable person; not trivial or insignificant. When used with respect to a particular construction defect, "material" does not require that the construction defect render the unit or common element unfit for its intended purpose or uninhabitable.
- (13) "Mediation" means a collaborative process in which two or more parties meet and attempt, with the assistance of a mediator, to resolve issues in dispute between them.
- (14) "Mediation session" means a meeting between two or more parties to a dispute during which they are engaged in mediation.
- (15) "Mediator" means a neutral and impartial facilitator with no decision-making power who assists parties in negotiating a mutually acceptable settlement of issues in dispute between them.
- (16) "Person" has the meaning in RCW 64.90.010.
- (17) "Public offering statement" has the meaning in chapter 64.90 RCW.
- (18) "Qualified insurer" means an entity that holds a certificate of authority under RCW 48.05.030, or an eligible insurer under chapter 48.15 RCW.
- (19) "Qualified warranty" means an insurance policy issued by a qualified insurer that complies with the requirements of this chapter. A qualified warranty includes coverage for repair of physical damage caused by the defects covered by the qualified warranty, except to the extent of any exclusions and limitations under this chapter.
- (20) "Resale certificate" means the statement to be delivered by the association under chapter 64.90 RCW.
- (21) "Transition date" means the date on which the declarant is required to deliver to the association the property of the association under RCW 64.90.420.
- (22) "Unit" has the meaning in RCW 64.90.010.
- (23) "Unit owner" has the meaning in RCW 64.90.010. [2023 c 337 s 1; 2004 c 201 s 101.]

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- (10) "Defect" means any aspect of a condominium unit or common element which constitutes a breach of the implied warranties set forth in RCW 64.90.670.
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- (23) "Unit owner" has the meaning in RCW 64.90.010. [2024 c 321 s 416; 2023 c 337 s 1; 2004 c 201 s 101.]

Effective dates—2024 c 321 ss 319 and 401-432: See note following RCW 64.90.485.