

SB 6745 - S AMD TO S AMD (S-5482.3/08) 138
By Senator Benton and Tom

ADOPTED 02/18/2008

1 On page 12, beginning on line 28, strike all material through line
2 30, and insert the following:

3 "(2) An association's lien rights may not include liens to secure
4 payment of fines validly imposed. However, an association's lien
5 rights may include liens to secure payment of unpaid assessments. This
6 subsection supersedes any inconsistent provisions in the governing
7 documents."

EFFECT: HOAs may not place liens on member's homes for unpaid
fines. This provision trumps any covenant that purports to give the
HOA this lien right. HOAs' lien rights still may be exercised for
nonpayment of assessments.

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