

**RCW 64.90.370 Election of preexisting common interest communities, plat communities, miscellaneous communities.** (1) The declaration of any common interest community created before July 1, 2018, or of a plat community or miscellaneous community described in RCW 64.90.360(4) may be amended to:

(a) Provide that all the sections listed in RCW 64.90.365(1) apply to the common interest community; or

(b) Provide that this chapter will apply to the common interest community, regardless of what applicable law provided before chapter 277, Laws of 2018 was adopted.

(2) Except as provided otherwise in subsection (3) of this section or in RCW 64.90.285 (8), (9), or (10), an amendment under this section to the governing documents of a common interest community created before July 1, 2018, must be adopted in conformity with any procedures and requirements for amending the instruments specified by those instruments and in conformity with the amendment procedures of this chapter. If the governing documents do not contain provisions authorizing amendment, the amendment procedures of this chapter apply. If an amendment grants to a person a right, power, or privilege permitted under this chapter, any correlative obligation, liability, or restriction in this chapter also applies to the person.

(3) Notwithstanding any provision in the governing documents of a common interest community that govern the procedures and requirements for amending the governing documents, an amendment under subsection (1) of this section may be made as follows:

(a) The board shall propose such amendment to the owners if the board deems it appropriate or if owners holding 20 percent or more of the votes in the association request such an amendment in writing to the board;

(b) Upon satisfaction of the foregoing requirements, the board shall prepare a proposed amendment and shall provide the owners with a notice in a record containing the proposed amendment and at least 30 days' advance notice of a meeting to discuss the proposed amendment;

(c) Following such meeting, the board shall provide the owners with a notice in a record containing the proposed amendment and a ballot to approve or reject the amendment;

(d) The amendment shall be deemed approved if owners holding at least 30 percent of the votes in the association participate in the voting process, and at least 67 percent of the votes cast by participating owners are in favor of the proposed amendment. [2024 c 321 s 509; 2018 c 277 s 120. Formerly RCW 64.90.095.]