
SENATE BILL 5560

State of Washington

59th Legislature

2005 Regular Session

By Senators Pflug, Kline, Benson and Schmidt

Read first time 01/28/2005. Referred to Committee on Financial Institutions, Housing & Consumer Protection.

1 AN ACT Relating to records of members of homeowners' associations;
2 and amending RCW 64.38.045.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 64.38.045 and 1995 c 283 s 9 are each amended to read
5 as follows:

6 (1) The association or its managing agent shall keep financial and
7 other records sufficiently detailed to enable the association to fully
8 declare to each owner the true statement of its financial status. All
9 financial and other records of the association, including but not
10 limited to checks, bank records, and invoices, in whatever form they
11 are kept, are the property of the association. Each association
12 managing agent shall turn over all original books and records to the
13 association immediately upon termination of the management relationship
14 with the association, or upon such other demand as is made by the board
15 of directors. An association managing agent is entitled to keep copies
16 of association records. All records which the managing agent has
17 turned over to the association shall be made reasonably available for
18 the examination and copying by the managing agent.

1 (2) All records of the association, including the names and
2 addresses of owners and other occupants of the lots, shall be available
3 for examination by all owners, holders of mortgages on the lots, and
4 their respective authorized agents on reasonable advance notice during
5 normal working hours at the offices of the association or its managing
6 agent. The association shall not release the unlisted telephone number
7 of any owner. The association shall not release the electronic mail
8 address of any owner unless authorized to do so by the owner. The
9 association may impose and collect a reasonable charge for copies and
10 any reasonable costs incurred by the association in providing access to
11 records.

12 (3) At least annually, the association shall prepare, or cause to
13 be prepared, a financial statement of the association. The financial
14 statements of associations with annual assessments of fifty thousand
15 dollars or more shall be audited at least annually by an independent
16 certified public accountant, but the audit may be waived if sixty-seven
17 percent of the votes cast by owners, in person or by proxy, at a
18 meeting of the association at which a quorum is present, vote each year
19 to waive the audit.

20 (4) The funds of the association shall be kept in accounts in the
21 name of the association and shall not be commingled with the funds of
22 any other association, nor with the funds of any manager of the
23 association or any other person responsible for the custody of such
24 funds.

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