

SENATE BILL REPORT

HB 2304

As of February 16, 2026

Title: An act relating to increasing the supply of condominiums by expanding the types of condominium buildings that may be subject to an express warranty of quality and express warranty insurance coverage.

Brief Description: Increasing the supply of condominiums by expanding the types of condominium buildings that may be subject to an express warranty of quality and express warranty insurance coverage.

Sponsors: Representatives Taylor, Reed, Ramel, Ryu, Zahn, Kloba, Thomas, Doglio, Gregerson, Ormsby, Connors, Barkis, Goodman, Leavitt, Fosse, Low, Salahuddin, Hill and Bernbaum.

Brief History: Passed House: 2/10/26, 94-0.

Committee Activity: Housing: 2/18/26.

Brief Summary of Bill

- Authorizes a declarant or dealer to offer an express warranty of quality and express warranty insurance coverage, as an alternative to the implied warranty of quality under the Washington Uniform Common Interest Ownership Act, for any new or conversion building with four or fewer stories, rather than three or fewer stories.

SENATE COMMITTEE ON HOUSING

Staff: Melissa Van Gorkom (786-7491)

Background: Washington Uniform Common Interest Ownership Act. A common interest community (CIC) is a form of real estate in which each unit owner or homeowner has an exclusive interest in a unit or lot and a shared or undivided interest in common area property. In Washington, several statutes govern residential CICs. The Washington

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Uniform Common Interest Ownership Act (WUCIOA) took effect on July 1, 2018, and is applicable to residential CICs, including condominiums, created after that date.

Implied Warranties. The WUCIOA creates implied warranties regarding the quality of materials and construction in a condominium. Under these provisions, in CICs created on or after July 27, 2025, a declarant and any dealer impliedly warrants to a purchaser of a condominium unit that the unit and the common elements are suitable for the ordinary uses of real estate of its type and that any improvements made or contracted for by the declarant or dealer will be:

- free from defective materials;
- constructed in accordance with the plans, specifications approved by the applicable jurisdiction for the construction of the condominium, manufacturer installation guidelines, applicable building codes in effect at the time of permit approval, and any published industry standards specifically incorporated into the applicable building codes in effect at the time of permit approval; and
- constructed in a workmanlike manner.

Express Warranties. A declarant or dealer is not subject to the implied warranties of quality if the declarant or dealer instead provides an express warranty of quality and express warranty insurance coverage that:

- requires acknowledgment by the purchaser that the express warranty of quality applies;
- allows for recovery of defects under the express warranty;
- applies to all units and common areas within the building; and
- provides minimum coverage periods for:
 1. one year for defective workmanship and materials;
 2. two years for defective plumbing, electrical, and ductwork distribution systems; and
 3. ten years for structural defects to load-bearing structural members.

The WUCIOA authorizes a declarant or dealer to provide the two to ten year warranty for condominiums created on or after July 27, 2025, if the condominium building contains 12 or fewer units and:

- is two or fewer stories;
- is three or fewer stories, if one story is used for parking or as a commercial space; or
- no unit is physically located above or below any other unit, except for balconies, decks, or minor building features.

Summary of Bill: For condominiums created on or after the effective date of the bill, a declarant or dealer may provide express warranties for a condominium unit located in a new or conversion building containing 12 or fewer units and four or fewer stories.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.