

RCW 64.90.075 Common interest communities, new. (1) Except as provided otherwise in this section, this chapter applies to all common interest communities created within this state on or after July 1, 2018. Chapters 58.19, 64.32, 64.34, and 64.38 RCW do not apply to common interest communities created on or after July 1, 2018.

(2) Unless the declaration provides that this entire chapter is applicable, a plat community or miscellaneous community that is not subject to any development right is subject only to RCW 64.90.020, 64.90.025, and 64.90.030, if the community: (a) Contains no more than twelve units; and (b) provides in its declaration that the annual average assessment of all units restricted to residential purposes, exclusive of optional user fees and any insurance premiums paid by the association, may not exceed three hundred dollars, as adjusted pursuant to RCW 64.90.065.

(3) The exemption provided in subsection (2) of this section applies only if:

(a) The declarant reasonably believes in good faith that the maximum stated assessment will be sufficient to pay the expenses of the association for the community; and

(b) The declaration provides that the assessment may not be increased above the limitation in subsection (2) of this section prior to the transition meeting without the consent of unit owners, other than the declarant, holding ninety percent of the votes in the association.

(4) Except as otherwise provided in RCW 64.90.080, this chapter does not apply to any common interest community created within this state on or after July 1, 2018, if:

(a) That common interest community is made part of a common interest community created in this state prior to July 1, 2018, pursuant to a right expressly set forth in the declaration of the preexisting common interest community; and

(b) The declaration creating that common interest community expressly subjects that common interest community to the declaration of the preexisting common interest community pursuant to such right described in (a) of this subsection. [2019 c 238 § 203; 2018 c 277 § 116.]