

**RCW 64.90.511 Governing documents—Unlawful restriction, removal.** (1) The board of an association may, without a vote of the unit owners, amend the governing documents to remove an unlawful restriction.

(2) A unit owner may request, in a record that sufficiently identifies an unlawful restriction in the governing document, that the board exercise its authority under subsection (1) of this section. Not later than 90 days after the board receives the request, the board shall determine reasonably and in good faith whether the governing document includes the unlawful restriction. If the board determines the governing document includes the unlawful restriction, the board not later than 90 days after the determination shall amend the governing document to remove the unlawful restriction.

(3) Notwithstanding any provision of the governing document or other law of this state, the board may execute an amendment under this section.

(4) An amendment under this section is effective notwithstanding any provision of the governing document or other law of this state that requires a vote of the unit owners to amend the governing document.

(5) For purposes of this section and RCW 64.90.5111:

(a) "Amendment" means a document that removes an unlawful restriction.

(b) "Document" means a record recorded or eligible to be recorded in land records.

(c) "Remove" means eliminate any apparent or purportedly continuing effect on title to real property.

(d) "Unlawful restriction" means a prohibition, restriction, covenant, or condition in a governing document that purports to interfere with or restrict the transfer, use, or occupancy of a unit:

(i) On the basis of race, color, religion, national origin, sex, familial status, disability, or other personal characteristics; and

(ii) In violation of other law of this state or federal law.

[2024 c 321 s 101.]