

RCW 64.90.495 Association records. (1) An association must retain the following:

(a) The current budget, detailed records of receipts and expenditures affecting the operation and administration of the association, and other appropriate accounting records within the last seven years;

(b) Minutes of all meetings of its unit owners and board other than executive sessions, a record of all actions taken by the unit owners or board without a meeting, and a record of all actions taken by a committee in place of the board on behalf of the association;

(c) The names of current unit owners, addresses used by the association to communicate with them, and the number of votes allocated to each unit;

(d) Its original or restated declaration, organizational documents, all amendments to the declaration and organizational documents, and all rules currently in effect;

(e) All financial statements and tax returns of the association for the past seven years;

(f) A list of the names and addresses of its current board members and officers;

(g) Its most recent annual report delivered to the secretary of state, if any;

(h) Financial and other records sufficiently detailed to enable the association to comply with RCW 64.90.640;

(i) Copies of contracts to which it is or was a party within the last seven years;

(j) Materials relied upon by the board or any committee to approve or deny any requests for design or architectural approval for a period of seven years after the decision is made;

(k) Materials relied upon by the board or any committee concerning a decision to enforce the governing documents for a period of seven years after the decision is made;

(l) Copies of insurance policies under which the association is a named insured;

(m) Any current warranties provided to the association;

(n) Copies of all notices provided to unit owners or the association in accordance with this chapter or the governing documents;

(o) Ballots, proxies, absentee ballots, and other records related to voting by unit owners for one year after the election, action, or vote to which they relate;

(p) Originals or copies of any plans and specifications delivered by the declarant pursuant to RCW 64.90.420(1);

(q) Originals or copies of any instruments of conveyance for any common elements included within the common interest community but not appurtenant to the units delivered by the declarant pursuant to RCW 64.90.420(1); and

(r) Originals or copies of any permits or certificates of occupancy for the common elements in the common interest community delivered by the declarant pursuant to RCW 64.90.420(1).

(2) (a) Subject to subsections (3) through (5) of this section, and except as provided in (b) of this subsection, all records required to be retained by an association must be made available for examination and copying by all unit owners, holders of mortgages on the units, and their respective authorized agents as follows, unless agreed otherwise:

(i) During reasonable business hours and at the offices of the association or its managing agent, or at a mutually convenient time and location; and

(ii) Upon 10 days' notice unless the size of the request or need to redact information reasonably requires a longer time, but in no event later than 21 days without a court order allowing a longer time.

(b) The list of unit owners required to be retained by an association under subsection (1)(c) of this section is not required to:

(i) Be made available for examination and copying by holders of mortgages on the units; or

(ii) Contain the electronic addresses of unit owners who have elected to keep such addresses confidential pursuant to RCW 64.90.515(3)(a).

(3) Records retained by an association must have the following information redacted or otherwise removed prior to disclosure:

(a) Personnel and medical records relating to specific individuals;

(b) Contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated;

(c) Existing or potential litigation or mediation, arbitration, or administrative proceedings;

(d) Existing or potential matters involving federal, state, or local administrative or other formal proceedings before a governmental tribunal for enforcement of the governing documents;

(e) Legal advice or communications that are otherwise protected by the attorney-client privilege or the attorney work product doctrine, including communications with the managing agent or other agent of the association;

(f) Information the disclosure of which would violate a court order or law;

(g) Records of an executive session of the board;

(h) Individual unit files other than those of the requesting unit owner;

(i) Unlisted telephone number of any unit owner or resident, electronic address of any unit owner that elects to keep such electronic address confidential, or electronic address of any resident;

(j) Security access information provided to the association for emergency purposes;

(k) Agreements that for good cause prohibit disclosure to the members; or

(l) Any information which would compromise the secrecy of a ballot cast under RCW 64.90.455(9).

(4) In addition to the requirements in subsection (3) of this section, an association must, prior to disclosure of the list of unit owners required to be retained by an association under subsection (1)(c) of this section, redact or otherwise remove the address of any unit owner or resident who is known to the association to be a participant in the address confidentiality program described in chapter 40.24 RCW or any similar program established by law.

(5)(a) Except as provided in (b) of this subsection, an association may charge a reasonable fee for producing and providing copies of any records under this section and for supervising the unit owner's inspection.

(b) A unit owner is entitled to receive a free annual electronic or written copy of the list retained under subsection (1)(c) of this section from the association.

(6) A right to copy records under this section includes the right to receive copies by photocopying or other means, including through an electronic transmission if available upon request by the unit owner.

(7) An association is not obligated to compile or synthesize information.

(8) Information provided pursuant to this section may not be used for commercial purposes.

(9) An association's managing agent must deliver all of the association's original books and records to the association upon termination of its management relationship with the association, or upon such other demand as is made by the board. Electronic records must be provided within five business days of termination or the board's demand and written records must be provided within 10 business days of termination or the board's demand. An association managing agent may keep copies of the association records at its own expense. [2024 c 321 s 320; 2023 c 409 s 4; 2018 c 277 s 320.]