

RCW 64.90.360 Common interest communities.

*** CHANGE IN 2026 *** (SEE 2354-S.SL) ***

(1) Except as provided otherwise in this section, RCW 64.90.365 and 64.90.375, this chapter applies to all common interest communities.

(2) Before January 1, 2028, this chapter applies only to:

(a) A common interest community created on or after July 1, 2018; and

(b) A common interest community created before July 1, 2018, that amends its declaration to elect to be subject to this chapter.

(3) *Chapters 58.19, 64.32, 64.34, and 64.38 RCW:

(a) Do not apply to common interest communities subject to this chapter; and

(b) Apply to a common interest community created before July 1, 2018, only until the community becomes subject to this chapter.

(4) (a) 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 64.90.010, 64.90.015, 64.90.020, 64.90.025, 64.90.030, 64.90.035, 64.90.040, 64.90.045, 64.90.050, 64.90.055, 64.90.060, 64.90.065, 64.90.070, 64.90.085, **64.90.090, 64.90.100, 64.90.105, 64.90.110, 64.90.115, 64.90.210, 64.90.225, 64.90.230, 64.90.235, 64.90.240, 64.90.245, 64.90.255, 64.90.260, 64.90.265, 64.90.280, 64.90.285, 64.90.290, 64.90.300, 64.90.340, 64.90.350, 64.90.360, 64.90.400, 64.90.405, 64.90.410, 64.90.415, 64.90.420, 64.90.435, 64.90.445, 64.90.450, 64.90.455, 64.90.465, 64.90.480, 64.90.485, 64.90.490, 64.90.495, 64.90.502, 64.90.505, 64.90.510, 64.90.511, 64.90.5111, 64.90.512, 64.90.513, 64.90.515, 64.90.518, 64.90.520, 64.90.525, 64.90.530, 64.90.535, 64.90.540, 64.90.545, 64.90.550, 64.90.555, 64.90.560, 64.90.565, 64.90.570, 64.90.575, 64.90.580, 64.90.585, 64.90.640, and 64.90.685, if the community: (i) Contains no more than 50 units; and (ii) provides in its declaration that the annual average assessment of all units restricted to residential purposes, exclusive of optional user fees, may not exceed \$1,000, as adjusted pursuant to RCW 64.90.065.

(b) The exemption provided in this subsection applies only if:

(i) 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

(ii) The declaration provides that the assessment may not be increased above the limitation in (a)(ii) of this subsection prior to the transition meeting without the consent of unit owners, other than the declarant, holding 90 percent of the votes in the association.

(5) Before January 1, 2028, except as otherwise provided in RCW 64.90.365, 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. [2025 c 119 s 10; 2024 c 321 s 506; 2019 c 238 s 203; 2018 c 277 s 116. Formerly RCW 64.90.075.]

Reviser's note: *(1) Chapters 58.19, 64.32, 64.34, and 64.38 RCW were repealed by 2024 c 321, effective January 1, 2028.

** (2) RCW 64.90.090 was repealed by 2024 c 321 s 505, effective January 1, 2028.