

RCW 64.90.555 Reserve study—Demand—Enforcement. (1) When more than three years have passed since the date of the last reserve study prepared by a reserve study professional, unit owners of units to which at least twenty percent of the votes in the association are allocated may demand in a record delivered to the board that the cost of a reserve study be included in the next annual budget and that the study be prepared by the end of that budget year. The demand must refer to this section. The board must, upon receipt of the demand, include the cost of a reserve study in the next budget and, if that budget is not rejected by the unit owners pursuant to RCW 64.90.525, arrange for the preparation of a reserve study.

(2) One or more unit owners may bring an action to enforce the requirements of this section and RCW 64.90.545 and 64.90.550. In such an action, a court may order specific performance and may award reasonable attorneys' fees and costs to the prevailing party.

(3) A unit owner's duty to pay assessments is not excused because of the association's failure to comply with this section and RCW 64.90.545 and 64.90.550. A budget ratified by the unit owners pursuant to RCW 64.90.525 is not invalidated because of the association's failure to comply with this section and RCW 64.90.545 and 64.90.550.
[2018 c 277 s 332.]