

By Laws Update

- Washington State updated the Revised Code of Washington (RCW)
- Our By Laws, which were last revised in 2001, require revisions in order to comply with the changes made to RCWs Title 24 Corporations and Associations and Title 64.38 Homeowners Associations
- The Document Review Committee recommendations were reviewed by our attorney, accepted by the BOD, and put out to the Leaseholders for review.
- Comments were received and incorporated as appropriate – primarily editorial or requests for more clarification.

Summary of Changes

- Part 1 Definitions were deleted since they were a duplicate of those in the CCRs. A reference to the Declaration was added.
- Policy changes were incorporated. Example 2.3 Privileges included the policy change regarding shop use and safety classes
- Subsection 2.5 Books and Records was moved here as it is part of membership rights.
- Subsection 2.6 Notification by Electronic Transmission was added to comply with RCW 24.03.09.

Summary

- Part 3 Annual meetings now require a minimum of 14 and no more than 60 days prior notice. The number of days required to present items for the agenda to the BOD at the Annual Meeting is increased to 15 days to meet RCW requirements.
- 3.2 Special Meetings (of members) – per RCW 64.38.035, special meetings may be called by signatures representing 10% of lots (10% of 115 lots = 11.5, so 12 lots). This is a change from current 33%.
- 3.3.4 Clarifies 2 ways for leaseholders to assign a proxy

Summary

- Part 4 – RCW 24.03.065 requires standing committees to be identified, and additional information about each. The revisions also identify which standing committees are limited to leaseholders, and which permit participation by renters.
- Part 5 – 5.3 Elections – the sitting BOD may remain in office until the election is certified
- 5.4 Term of Service – any partial time served by an appointed director from serving additional full terms of service

Summary

- 5.5 Responsibilities – relocated from Officer Duties and Responsibilities since it applies to all directors.
- 5.6 BOD Vacancies – consolidates similar paragraphs into one.
- Part 6 Powers and Duties of the BOD
 - 6.2 Limitations. The word “time” was replaced with “item or project” for clarification.

Summary

- 6.3 Duties specified and more compliant with the recommendations from the Secretary of State Handbook for BODs.
- Part 7.2 and 7.3 – Number of days to post notification of a BOD meeting reduced to 3 days. (RCW 24.03.120 permits no advance notice.)
- 7.6 Added per recommendation from attorney (requires minutes for all BOD meetings).

Summary

- Part 8 Officers and Their Duties
- Adds more duties and responsibilities
- Allows for Director-at-Large to be designated as an Officer-at-Large
- 8.5 Directors may hold multiple offices EXCEPT the President may not be the Secretary. (RCW 24.03.125)