

Section 2 - Sample Provision Excerpt (Public Preview)

thereof has been provided, legal action may be taken and unpaid fines will become liens against the property, as provided in Appendix A. 18b. Architectural Review Committee Rules and Guidelines. Fines will be charged to a lot owner in violation of the Architectural Review Committee Rules and Guidelines.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · STATUTORY FINING & HEARING DEFECT

BOARD & COUNSEL REVIEW

Sec. 2 (p. 5): Fining or suspension provision omits modern statutory due-process safeguards (advance written notice specifying the violation and curing window, formal hearing procedure, and statutory fine caps) required under RCW 64.90.405(2)(k) (WUCIOA Notice, Opportunity to be Heard & Fine Schedule).

Statutory / Legal Reference: RCW Ch. 64.90 (Washington Uniform Common Interest Ownership Act - WUCIOA); RCW Ch. 64.90 (Washington Uniform Common Interest Ownership Act - WUCIOA); RCW 64.90.405(2)(k)...

Statutory Comparison: Under RCW 64.90.405(2)(k) (WUCIOA Notice, Opportunity to be Heard & Fine Schedule) and RCW Ch. 64.90 (Washington Uniform Common Interest Ownership Act - WUCIOA), an association cannot impose a fine or suspend common-area or voting rights without first providing written notice of the specific covenant violation, a reasonable opportunity to cure, and a formal opportunity to be heard in accordance...

CURRENT WORDING IN DOCUMENT:

thereof has been provided, legal action may be taken and unpaid fines will become liens against the property, as provided in Appendix A. 18b. Architectural Review Committee Rules and Guidelines. Fines will be charged to a lot owner in violation of the Architectural Review Committee Rules and Guidelines.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Update the fining and suspension procedure to require advance written notice of the specific violation, an opportunity to cure, a formal hearing procedure, and adherence to statutory fine limits under RCW 64.90.405(2)(k) (WUCIOA Notice, Opportunity to be Heard & Fine Schedule).