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WUCIOA for All: A Guide for Pre-WUCIOA Communities

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This guide is intended to help Boards understand and prepare for upcoming changes under the Washington Uniform Common Interest Homeownership Act (WUCIOA). With the passage of Senate Bill 5796 (SB 5796) into Washington State law, WUCIOA will soon apply to all common interest communities in Washington, regardless of when they were established.

Inside, you will find a summary of the law's background, its phased implementation, and the specific changes that may affect your community, along with practical steps to support a smooth transition. This information is provided for educational purposes only and should not be construed as legal, financial, or management advice. Association members are encouraged to consult their association attorney or Community Association Manager for guidance specific to their situation.

Why This Matters

As Washington phases out legacy statutes and fully adopts WUCIOA, many existing governing documents will no longer align with the new legal framework. In cases of conflict, associations must follow WUCIOA unless the law explicitly states otherwise. This shift is expected to cause confusion for both Board members and Homeowners.



What Boards should do

Boards are strongly encouraged to begin evaluating how best to adapt. Many community association attorneys recommend amending governing documents to ensure they comply with WUCIOA. For associations where legal updates may be cost-prohibitive, it is especially important to prepare for Homeowner questions and provide clear, consistent communication.



Brief history of WUCIOA

WUCIOA (RCW 64.90) was enacted in 2018 to unify Washington's fragmented laws governing common interest communities, including condominiums and Homeowners' associations. Initially, WUCIOA applied only to communities created on or after July 1, 2018. SB 5796 and the amendments introduced by Senate Bill 5129 (SB 5129) extend core provisions to all communities, regardless of creation date. It will replace:

- RCW 64.32 - Horizontal Property Regimes Act "Old Act" (1963)
- RCW 64.34 - Washington Condominium Act "New Act" (1989)
- RCW 64.38 - Homeowners' Association Act "HOA Act" (1995)

WUCIOA Implementation Timeline

The transition to full WUCIOA compliance is structured in two key phases, giving communities time to prepare for the most significant legal and operational changes in decades. This timeline outlines when specific provisions become mandatory for all common interest communities in Washington, regardless of their date of creation. Understanding these milestones is essential for Boards to plan updates to governance practices, communication protocols, and homeowner engagement strategies.



January 1, 2026

Key provisions apply to all common interest communities:

- RCW 64.90.445 - Meetings
- RCW 64.90.480(10) - Assessment Payment Options
- RCW 64.90.513 - Electric Vehicle Charging Stations
- RCW 64.90.580 - Heat Pumps



January 1, 2028

WUCIOA becomes fully applicable. Legacy statutes are repealed.

The following pages provide detailed summaries of each statutory change. For the full legal text and additional guidance, refer to the dedicated RCW sections outlined above.

Meetings (RCW 64.90.445)

Mandatory Open Board and Committee Meetings

- **What's New:** All Board and committee meetings where decisions are being made must be open to all Homeowners, except during executive sessions.
- **Impact:** This is a major change for many pre-WUCIOA condominiums and HOAs, where Board meetings were often held privately or informally.

Notice Requirements for Board and Committee Meetings

- **What's New:** Association must provide at least 14 days' notice to all Homeowners before holding a Board or committee meeting, unless the meeting is part of a pre-published annual schedule.
- **Emergency Exception:** A 7-day notice is allowed only if the meeting addresses an issue that could not have been reasonably foreseen.
- **Impact:** This is a major change for many pre-WUCIOA condominiums and HOAs, where Board meetings were often held privately or informally.

Homeowner Participation Rights

- **What's New:** The Board must provide Homeowners at least 15 minutes at the beginning of each meeting to comment on agenda items. The Board may place a reasonable time restriction of not less than 90 seconds per Homeowner or equally allocate time if more than 10 Homeowners wish to comment.
- **Impact:** This codifies Homeowner engagement and transparency, requiring Boards to allocate time for Homeowner input and potentially adjust meeting formats to accommodate participation.

Limitations to Legal Challenges

- **What's New:** A Board action is considered valid even if it does not comply with procedural requirements, unless a court sets it aside. However, any legal challenge to such an action must be filed within 90 days after the Board approves the meeting minutes where the action occurred, or the record of the action is distributed to Homeowners, whichever happens later.
- **Impact:** This change limits the window for legal challenges to Board actions to 90 days. Boards may consider delegating authority to the secretary, or another Board member, to approve meeting minutes between meetings to speed up their distribution.

Remote Participation and Virtual Meetings

- **What's New:** Meetings do not need to be held at a physical location if conducted via real-time communication (e.g., video or phone conference).
- **Impact:** This modernizes meeting practices and allows for greater accessibility, especially for communities with geographically dispersed Homeowners or limited meeting space.

Agenda and Disclosure Requirements

- **What's New:** Meeting notices must include:
 - The time, date, and place of the meeting
 - The agenda
- **Impact:** Boards must be transparent and organized in their planning and communication. This may require procedural changes and updated templates for notices.

Assessment Payment Options (RCW 64.90.480(10))

Mandatory Offer of Free Payment Method

- **What's New:** Associations must offer at least one payment method for Homeowners to pay assessments at no charge to the Homeowner.
- **Impact:** Pre-WUCIOA communities that currently charge Homeowners for all payment methods must revise their payment options.

Electric Vehicle (EV) Charging (RCW 64.90.513)

Prohibition on Unreasonable Restrictions

- **What's New:** Associations may not adopt or enforce any rule, covenant, or bylaw that prohibits or unreasonably restricts the installation or use of an EV charging station by a Homeowner or conflicts with the provisions of WUCIOA.
- **Impact:** Pre-WUCIOA communities that previously banned or heavily restricted EV charging stations must now revise their governing documents to comply. Blanket prohibitions are no longer enforceable.

Reasonable Restrictions Still Permitted

- **What's New:** Associations may not adopt or enforce any rule, covenant, or bylaw that prohibits or unreasonably restricts the installation or use of an EV charging station by a Homeowner or conflicts with the provisions of WUCIOA.
- **Impact:** Pre-WUCIOA communities that previously banned or heavily restricted EV charging stations must now revise their governing documents to comply. Blanket prohibitions are no longer enforceable.

Application and Approval Process

- **What's New:**
 - Homeowners may be required to submit an application for EV charger installation.
 - Applications must be processed like any other architectural modification.
 - If not denied in writing within 60 days, the application is deemed approved unless delayed as the result of a reasonable request for additional information.
- **Impact:** Pre-WUCIOA communities that previously banned or heavily restricted EV charging stations must now revise their governing documents to comply. Blanket prohibitions are no longer enforceable.

No Placement Fees; Limited Processing Fees

- **What's New:**
 - Associations cannot charge a fee for the placement of an EV charging station.
 - A reasonable processing fee may be charged, but only if such fees are charged for other architectural modifications.
- **Impact:** This limits the financial barriers for Homeowners and ensures fee parity across modification types.

Installation Conditions and Homeowner Responsibilities

- **What's New:** Associations must approve installations if:
 - The location is within the unit or a designated parking space
 - The installation is reasonably possible
 - The Homeowner agrees in writing to:
 - Comply with architectural standards
 - Use a qualified electrical contractor
 - Provide insurance naming the association as an additional insured (in certain cases)
 - Register the vehicle with the association
 - Pay for the electricity usage associated with the EV charging station
- **Impact:** Homeowners must take on responsibility for safe and compliant installation, while associations must facilitate rather than obstruct the process.

Heat Pump Installations (RCW 64.90.580)

Prohibition on Unreasonable Restrictions

- **What's New:** Associations may not adopt or enforce any rule, covenant, or bylaw that:
 - Prohibits or unreasonably restricts the installation or use of a heat pump by a Homeowner within their unit boundaries.
 - Conflicts with the provisions of RCW 64.90.580.
- **Impact:** Pre-WUCIOA communities that previously banned or discouraged heat pump installations must now revise their governing documents. Blanket bans are no longer enforceable.

Reasonable Restrictions Still Permitted

- **What's New:** Associations may impose reasonable restrictions related to safety, and installation standards.
- **Impact:** Communities retain some oversight but must ensure that restrictions are not arbitrary or overly burdensome. Boards may need to adopt or revise architectural guidelines to reflect this.

Application and Approval Process

- **What's New:**
 - Homeowners may be required to submit an application for heat pump installation.
 - Applications must be processed like any other architectural modification.
 - If not denied in writing within 60 days, the application is deemed approved unless delayed as the result of a reasonable request for additional information.
- **Impact:** Pre-WUCIOA communities must establish clear, timely, and fair application procedures. Informal or delayed responses will no longer be acceptable.

Fees and Cost Responsibilities

- **What's New:**
 - Associations cannot charge a fee for the installation itself.
 - A reasonable processing fee may be charged, but only if such fees are charged for other architectural modifications.
- **Impact:** This limits the financial barriers for Homeowners and ensures fee consistency across modification types.

Homeowner Responsibilities for Installation

- **What's New:** Associations must approve installations if:
 - The installation is reasonably possible
 - The Homeowner agrees in writing to:
 - Comply with architectural standards
 - Use a qualified HVAC contractor to assess and install the system
 - Comply with all applicable codes and safety standards
- **Impact:** Homeowners are responsible for ensuring safe, code-compliant installations, while associations must facilitate the process if reasonable.

Supporting Your Transition to WUCIOA

As your community prepares for the changes introduced by WUCIOA and WUCIOA for All, it's important to know that you're not alone in this process. Trestle's practices already meet many of the new standards outlined in the legislation. Where updates are needed, we are actively implementing solutions to ensure full compliance and ease of transition. Our team is reviewing procedures, updating templates, and preparing training resources to support Boards and Homeowners alike.

For our Clients, this means:

- Clear guidance on what's changing and when
- Hands-on support for updating policies and documents
- Communication tools to keep your community informed
- Confidence that your association is on track

For communities not currently working with Trestle, we encourage you to seek out reliable resources and experienced advisory services. Whether through legal counsel, management professionals, or educational materials, having trusted support will be key to navigating this transition smoothly. WUCIOA is designed to bring consistency, transparency, and fairness to community governance. With thoughtful preparation and the right guidance, your Board can lead the way.

If you have any questions or if your community could benefit from professional Homeowner and Condominium association management, the team at Trestle Community Management is here for you.



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