

5536-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Finkbeiner, Reardon, Roach, Hale, Horn, Benton, Morton, Hewitt, Schmidt, Kastama, Sheahan, Mulliken, Johnson, Parlette, Stevens, West and Esser)

Brief Description: Resolving claims relating to condominium construction.

SB 5536-S.2E - DIGEST

(DIGEST AS ENACTED)

Finds, declares, and determines that: (1) Washington's cities and counties under the growth management act are required to encourage urban growth in urban growth areas at densities that accommodate twenty-year growth projections;

(2) One of the growth management act's planning goals is to encourage the availability of affordable housing for all residents of the state and promote a variety of housing types; and

(3) Quality condominium construction needs to be encouraged to achieve growth management act mandated urban densities and ensure that residents of the state, particularly in urban growth areas, have a broad range of ownership choices.

Establishes a committee to study: (1) The required use of independent third-party inspections of residential condominiums as a way to reduce the problem of water penetration in residential condominiums; and

(2) The use of arbitration or other forms of alternative dispute resolution to resolve disputes involving alleged breaches of implied or express warranties under chapter 64.34 RCW.

Requires the committee to: (1) Examine the problem of water penetration of condominiums and the efficacy of requiring independent third-party inspections of condominiums, including plan inspection and inspection during construction, as a way to reduce the problem of water penetration;

(2) Examine issues relating to alternative dispute resolution; and

(3) Deliver to the judiciary committees of the senate and house of representatives, not later than December 31, 2004, a report of the findings and conclusions of the committee, and any proposed legislation implementing third-party water penetration inspections or providing for alternative dispute resolution for warranty issues.

Declares an intent that these changes in the condominium act ensure that a broad range of affordable homeownership opportunities continue to be available to the residents of the state and also assist cities' and counties' efforts to achieve the density mandates of the growth management act.