VF Law

WUCIOA For All

December 10, 2025

Presented to:
Association Management Services NW

Mike Vial, *mjv@vf-law.com*
Tim Feth, *Tim.Feth@vf-law.com*

www.vf-law.com

Effective January 1, 2026

Collections (SB 5686)

- Pre foreclosure notice required to be sent within 30 days after “an assessment” becomes past due
  - Must be sent by mail to unit and other address/email address known to Association
  - Must be provided in English and owner’s preferred language
  - No collections action until 15 days after notice is sent, except:
    - actual cost of printing/mailing;
    - $10 admin fee;
    - single late fee of $50 or 5% (whichever is less).
- Meet and Confer
  - Upon request of owner’s attorney or housing counselor
  - Once requested, no collection action/no attorney fees until completed
- Mediation
  - Upon request of owner’s attorney or housing counselor (after meet and confer)
  - Once requested, no collection action/no attorney fees until completed

Effective January 1, 2026

Meetings of the Members

- Association meeting must be held at least once a year
- Notice provided between 14 and 50 days prior
  - Notice must include: time/date/place; agenda items; text of proposed amendment; proposal to remove officer
- 20% of voting power may call special meeting “to address any matter affecting the common interest community.”
- Virtual meetings are okay, must meet certain standards including the ability to participate by phone
- Minutes must be kept and must reflect each matter voted upon.

Effective January 1, 2026

Meetings of the Board and Committees of the Board.

- Open Meeting Requirements
  - 14 days' formal notice or held pursuant to schedule given to the owners.
    - If formal notice, must state time/date/place/agenda.
  - Materials provided to Board must be made reasonably available to owners (except materials to be considered in executive session)
  - Owners must be allowed to attend (except during executive session)
  - 15-minute owner comment period before board action
  - Executive Session: (1) consult with attorney; (2) potential litigation, mediation, or arbitration; (3) labor or personnel matters; (4) contracts, etc. "currently being negotiated;" (5) matters the public knowledge of which would "violate the privacy of any person."
- Board (or committee) can expel disruptive owner, after a warning
- No action between board meetings except: ministerial, owner ratification, or implementing action
- Board action valid unless challenged within 90 days of approval/distribution of meeting minutes
- Virtual meetings are okay, must meet certain standards including the ability to participate by phone
- Minutes must be kept and must reflect each matter voted upon.

Effective January 1, 2026

- 64.90.502 is applicable to all communities on January 1, 2026.
  - Emergency meetings and assessments in event of government-declared emergency
- Additional changes for all communities, as of January 1, 2026
  - Heat pumps: association cannot unreasonably withhold approval of request to modify common elements
  - Electric vehicle charging stations: certain associations cannot require approval of EVCSs
  - Association must provide one method of paying assessments at no charge to owner
- Additional changes for current WUCIOA communities (2028 otherwise).
  - Ballots for elections must include blank space for write-in candidate
  - Ballots must be tallied by neutral parties
  - Two signatures for reserve expenditures
  - Standards for investment of reserve funds
  - Buyer may waive resale certificate if it is “unavailable”

Effective January 1, 2028

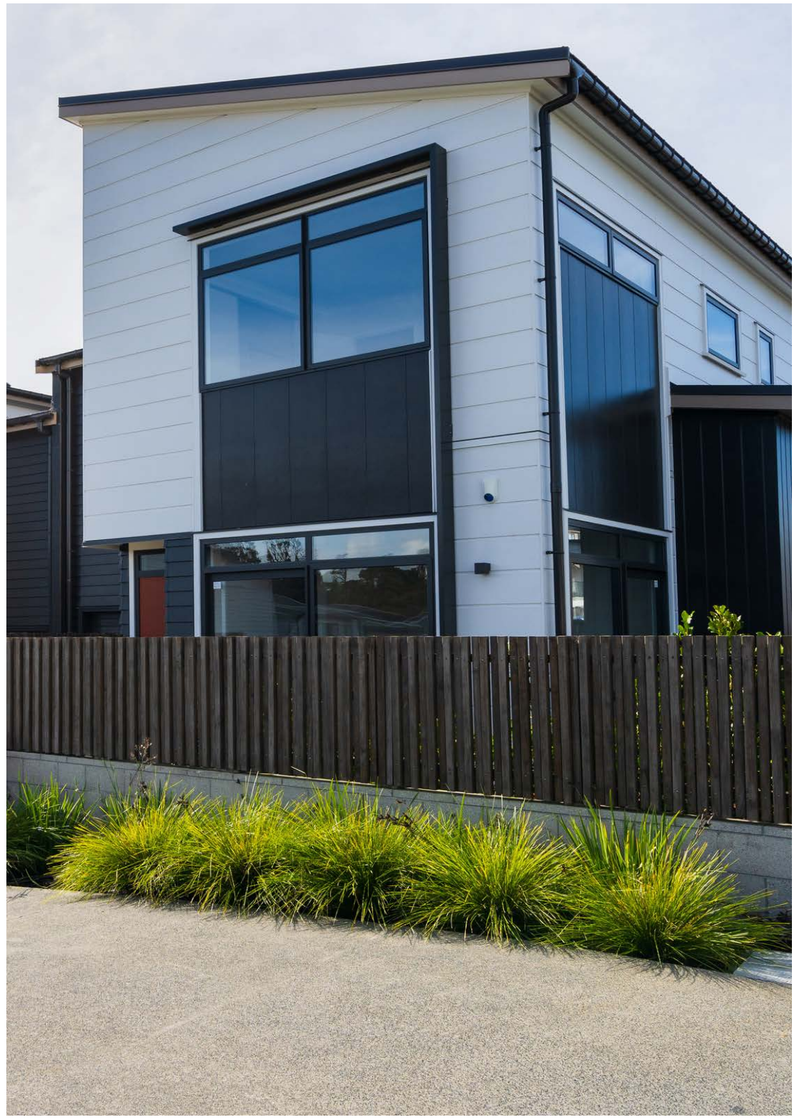
WUCIOA applicable in full to all communities.

- Financial operations
  - Publication of annual financial statement (accrual-based accounting practices)
  - Audit of financial statement (only waivable if annual assessments <$50,000)
  - Annual account reconciliation
  - Mandatory reserve account (still no minimum funding)
  - Loan terms must be ratified by owners (similar to budget ratification)
- Voting
  - Absentee ballots (already auth'd, but now count toward quorum)
  - If voting without a meeting, must provide tangible ballot to every owner unless owner has consented (by consent in writing or by casting electronic vote)
  - Records of electronic votes must be capable of retention and review
  - Secret ballot for election, removal, amendments
  - (plus 2026 changes for current WUCIOA communities, described on slide 4)
- Assessments to specific owners
  - LCEs/benefits/insurance/utilities
  - Amounts due to gross negligence and willful misconduct after notice and opportunity to be heard. (Simple negligence only if provided in declaration.)
  - Amounts caused by failure to comply with maintenance standard.
  - Amounts within Association's deductible, but only for damage within that owner's unit.

Effective January 1, 2028

WUCIOA applicable in full to all communities.

- Insurance
  - Property (no more “walls out” coverage for Old Act Condos); liability; fidelity
  - Association required to obtain property coverage if units share party walls
- Board members
  - At least a majority of board must be unit owners
  - Statutory procedure for removal
    - Owners may remove director upon affirmative vote of majority of total votes or 2/3rds of those present at removal meeting; proposed removal must be stated in the meeting notice (so must be proposed by president, majority of board members, or owners with at least 20% of voting power); board member must be given opportunity to speak at meeting.
    - Board may remove director if delinquent for 60+ days and has not cured within 30 days of notice of proposed removal
- Quorum for association meetings
  - Default quorum is 20% of voting power present at beginning of meeting
- Rules
  - Comment period (unless declaration states otherwise)
- Declaration amendment
  - 67% standard; 90% to “create or increase special declarant rights, increase the number of units, change the boundaries of any unit, or change the allocated interests of a unit”
    - 90% not required for changes in use restriction.
  - No requirement that members sign the amendment itself.
- New for HOAs
  - Public offering statements and resale certificates
  - Cancelation without penalty of certain contracts entered into by declarant



Questions

Mike Vial

VF Law

mjv@VF-Law.com

(503) 210-3093

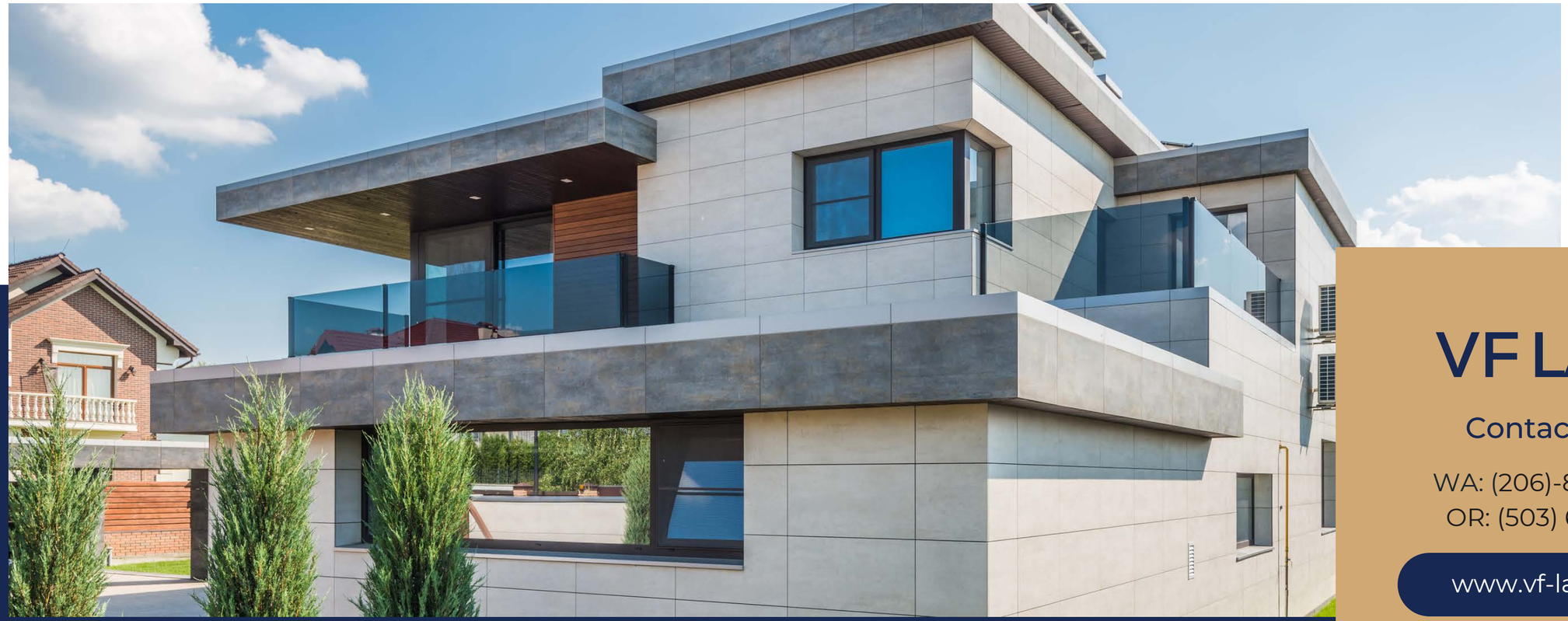
Tim Feth

VF Law

Tim.Feth@VF-Law.com

(206) 838-2698

Thank you!



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Contact Us!

WA: (206)-838-2660
OR: (503) 684-4111

www.vf-law.com