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EXECUTIVE OFFICE

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SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington



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Ordinance No. 91-108

Amending County Ordinances Relating to the Naming of  
Condominiums and Plats and the Conversion of Rental Units  
to Condominiums.

Be It Ordained:

Section 1: Snohomish County Code Section 6.62.010, adopted by Resolution No. 79-301 on October 3, 1979, is amended to read:

6.62.010 Purpose. It is declared to be the purpose of (~~Snohomish County~~) this chapter to regulate, control, and coordinate the naming of condominiums developed pursuant to RCW Chapter 64.32 or chapter RCW 64.34 and plats so as to avoid duplication of names. It is in the public interest to so regulate the naming of plats and condominiums to prevent confusion in the public and private (~~sections~~) sectors as it relates to the building, development and sales of lots, plats, condominiums and condominium units in Snohomish County.

Section 2: Snohomish County Code Section 6.62.030, adopted by Resolution No. 79-301 on October 3, 1979, is amended to read:

6.62.030 Naming of condominiums. Before accepting a declaration of condominium or amendment to a declaration of condominium changing the name of an existing condominium sought to be filed pursuant to chapter 64.32 RCW(~~)~~ or chapter 64.34 RCW the Snohomish county auditor shall check the name of the condominium therein against the names of plats and condominiums contained in the records of the Snohomish county auditor. If the name of the proposed declaration is the same as the name of any plat or condominium on file in the office of the Snohomish county auditor, the auditor shall notify the filing party and return any declaration or amended declaration sought to be filed to such filing party. The declaration or amended declaration shall be accepted for filing upon the filing party changing the name therein to a name other than that of a plat or condominium filed in the records of the Snohomish county auditor.

Section 3: Snohomish County Code Section 6.64.020, adopted by Resolution No. 79-339 on November 13, 1979, is hereby amended to read:

6.64.020 Definitions. For the purpose of this chapter, the following terms shall have the meanings set forth below:

- (1) "Building" means a building as defined in RCW 64.32.010(5) or SCC 6.64.020.

- (2) "Building department" means the (~~building department of~~) Snohomish County Department of Planning and Community Development.
- (3) "Condominium" means real property:
  - (a) Which is subject to a declaration filed pursuant to chapter 64.32 RCW, the Horizontal Regimes Act, or chapter 64.34 RCW, the Condominium Act; or
  - (b) In which there is private ownership of individual units and common ownership of common areas.
- (4) "Conversion" means the filing of a declaration pursuant to chapter 64.32 RCW or chapter 64.34 RCW or the sale by a developer of condominium apartments that were previously rental units.
- (5) "Developer" means any person, firm, partnership, joint venture, corporation or any other entity or combination of entities or successors who, as an owner, undertakes the conversion, sale, or offering for sale of condominium apartments. "Developer" shall also include the developer's agent or any other person acting on behalf of the developer.
- (6) "Director" means the director of the Snohomish County building department and his or her designee.
- (7) "Eviction" means any effort by a developer to deprive a tenant of possession of a rental unit or to terminate a tenancy by lawful or unlawful means.
- (8) "Housing code" means the Snohomish County Code as codified in chapter 17.44 SCC.
- (9) "Offer to sell to tenant" means a written offer to sell a condominium apartment to the tenant at a specified price and on specified terms.
- (10) "Offer to sell to the public" means any advertisement, inducement, solicitation, or attempt by a developer to encourage any person other than a tenant to purchase a rental unit as a condominium apartment.
- (11) "Person" means any natural person, corporation, partnership, association, trust, other entity, or any combination thereof.
- (12) "Prospective purchaser" means any person, including existing tenants or subtenants, who expresses an interest to a developer in purchasing a condominium apartment or to whom a developer solicits or offers to sell a condominium apartment.

(13) "Rental unit" means any housing unit, other than a single family dwelling or units in a single family dwelling, which is occupied pursuant to a lawful rental agreement oral or written, express or implied, which was not owned as a condominium unit on the effective date of this chapter.

(14) "Tenant" means any person who:

(a) Occupies a rental unit or holds a valid lease, express or implied, at the time of the developer's giving written notice as required by Section 6.64.040, or the giving of notice of termination as required by RCW 59.18.200, because of conversion to a condominium, whichever is first; or

(b) Enters into the occupancy of a rental unit after the giving of either of such notice to any other tenant, without the owner advising such person that the unit might be sold or offered for sale as a condominium unit.

Where more than one person is a tenant, as defined above, in a single rental unit, any or all of them may exercise the rights given hereunder; provided, that one or more tenants cannot waive the rights of their covenants as provided in this chapter, that any or all tenants in a single rental unit shall not be entitled to accept an offer to purchase more than one rental unit, and that any rights of a tenant under a written lease with the owner shall be superior to the rights of his/her subtenant.

Section 4: Snohomish County Code Section 6.64.030, adopted by Resolution No. 79-339 on November 13, 1979, is amended to read:

6.64.030 Application.

(1) In General. This chapter shall apply only to the conversion, offers of sale, and sale of rental units which have not been converted to condominium apartments by the filing of a declaration of condominium as provided in ~~((RCW))~~ Chapter 64.32 RCW or RCW Chapter 64.34 before the effective date of this chapter.

(2) To Tenants. The provisions of Article III providing protection to tenants shall apply only to tenants as defined in ~~((Section))~~ SCC 6.64.020(14).

Section 5: Snohomish County Code Section 6.64.060, adopted by Resolution No. 79-339 on November 13, 1979, is amended to read:

6.64.060 Limitations on evictions. A developer shall not evict any tenant or force any tenant to vacate his or her rental unit because of the expiration of the tenancy of such tenant or to avoid any requirements of this chapter for ninety days following receipt of the notice required by SCC ~~((6.64.040))~~ 6.64.040 or of notice of termination as provided in RCW 59.18.200. This provision shall not prevent a tenant from evicting or forcing his or her subtenant to vacate upon the expiration of the subtenant's tenancy, in any manner provided by law.


Section 6: Snohomish County Code Section 6.64.120, adopted by Resolution 79-339 on November 13, 1979, is amended to read:

6.64.120 Required disclosures. In addition to the disclosures required by other sections of this resolution, the developer shall make available the following information to tenants, and prospective purchasers, and the building department at least seven days before any purchase commitment is signed, or, in the case of tenants with the written notice provided by SCC 6.64.040:


- (1) Copies of all documents filed pursuant to the Horizontal Property Regimes Act, chapter 64.32 RCW(~~(?)~~), or the Condominium Act, chapter 64.34 RCW;
- (2) An itemization of the specific repairs and improvements made to the entire building during the six months immediately preceding the offer of sale;
- (3) An itemization of the repairs and improvements to be completed before close of sale;
- (4) A statement of the services and expenses which are being paid for by the developer but which will in the future be terminated, or transferred to the purchaser or owner's association;
- (5) An accurate estimate of the useful life of the building's major components and mechanical systems (foundation, exterior walls, exterior wall coverings other than paint or similar protective coating, exterior stairs, floors and floor supports, carpeting in common areas, roof cover, chimneys, plumbing system, heating system, water heating appliances, mechanical ventilation system, and elevator equipment); for each system a component whose expected life cannot be accurately estimated, the developer shall provide a detailed description of its present condition and an explanation of why no estimate is possible; and
- (6) An itemized statement in budget form of the estimated monthly costs of owning the condominium apartment that the purchaser intends to buy. The itemization shall include but not be limited to:
  - (a) Payments on purchase loan;
  - (b) Taxes;
  - (c) Insurance;
  - (d) Utilities (which shall be listed individually);
  - (e) Homeowner's assessments;
  - (f) The projected monthly assessment needed for replacing building components and systems whose life expectancy is less than five years; and
  - (g) A statement of the budget assumptions concerning occupancy and inflation factors.

PASSED this 7<sup>th</sup> day of August 1991.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
Chairperson

Approved as to Form:

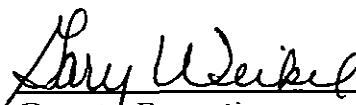
  
Deputy Prosecuting Attorney

ATTEST:

  
Clerk of the Council, *asst.*

- APPROVED
- VETOED
- EMERGENCY

DATE: 8/8/91

  
County Executive

**GARY WEIKEL**  
Executive Administrator

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