JAY INSLEE
Governor

STATE OF WASHINGTON
OFFICE OF THE GOVERNOR
P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

PROCLAMATION BY THE GOVERNOR
AMENDING AND EXTENDING
PROCLAMATIONS 20-05 and 20-51, et seq.

20-51.6
Community Associations Meetings and Late Fees

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06 through 20-53 and 20-64 through 20-61, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, continues to broadly spread throughout Washington State, seriously increasing the threat of serious associated health risks statewide; and

WHEREAS, on April 17, 2020, I issued Proclamation 20-51, suspending statutes to allow community associations to hold remote meetings and waiving deadlines for filing of annual assessments; and

WHEREAS, on May 14, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-51 were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or May 31, 2020, whichever occurs first, and which I acknowledged in Proclamation 20-51.1; and

WHEREAS, on May 29, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-51, et seq., were extended by the leadership of

the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or June 17, 2020, whichever occurs first, and which I acknowledged in Proclamation 20-51.2; and

WHEREAS, on June 17, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-51, et seq., were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or June 17, 2020, whichever occurs first, and which I acknowledged in Proclamation 20-51.3, which was amended to correct a technical error but otherwise unchanged by Proclamation 20-51.4; and

WHEREAS, on July 1, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-51, et seq., were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or August 1, 2020, whichever occurs first, and which I acknowledged in Proclamation 20-51.5, and

WHEREAS, on July 23, 2020, I requested that the leadership of the Washington State Senate and House of Representatives extend reduced statutory waivers and suspensions in Proclamation 20-51, et seq, to restore the ability for community associations to levy fines against homeowners who violate the association's bylaws/rules/regulations;

WHEREAS, on July 30, 2020, under the provisions of RCW 43.06.220(4), the reduced statutory waivers and suspensions of Proclamation 20-51, et seq., were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or September 1, 2020, whichever occurs first; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continues to threaten the life and health of our people as well as the economy of Washington State, and remains a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52, and 43.06 RCW, do hereby proclaim that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect as otherwise amended, and that Proclamations 20-51, et seq., are amended to recognize the extension of statutory waivers and suspensions, and as modified below, by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or 11:59 p.m. on September 1, 2020, whichever occurs first. The following statutes are now waived and suspended only as indicted below, all other statutory waivers and suspensions in Proclamation 20-51, et seq., remain in full force and effect:

RCW 64.34.304(1)(k)
(k) ~~Impose and collect charges for late payment of assessments pursuant to RCW 64.34.364(13) and~~, after notice and an opportunity to be heard by the board of directors or by such representative designated by the board of directors and in accordance with such procedures as provided in the declaration or bylaws or rules and regulations adopted by the board of directors, levy, reasonable fines in accordance with a previously established schedule thereof adopted by the board of directors and furnished to the owners for violations of the declaration, bylaws, and rules and regulations of the association.

RCW 64.38.020(11)
~~(11) Impose and collect charges for late payments of assessments and,~~ after notice and an opportunity to be heard by the board of directors or by the representative designated by the board of directors and in accordance with the procedures as provided in the bylaws or rules and regulations adopted by the board of directors, levy, reasonable fines in accordance with a previously established schedule adopted by the board of directors and furnished to the owners for violation of the bylaws, rules, and regulations of the association.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military

Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 31st day of July, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State