

What is a Homeowner's Association?

A Homeowner's Association (HOA) is an organization made up of the property owners in a subdivision that makes and enforces rules for the properties within the subdivision. The HOA also collects dues from each property owner to pay for common area utilities, maintenance, and repairs.

In Washington, HOAs are governed by the Washington State Homeowners Association Act codified at RCW 64.38. The legal definition of an HOA is provided at RCW 64.38.010(11) as follows: "... a corporation, unincorporated association, or other legal entity, each member of which is an owner of residential real property located within the association's jurisdiction . . . and by virtue of membership . . . is obligated to pay real property taxes, insurance premiums, maintenance costs, or for other improvement of real property other than that which is owned by the member."

As indicated above, a HOA can be almost any legal entity, however, typically a non-profit corporation is formed as the entity to serve as the HOA. After that, the HOA drafts Bylaws to provide a framework for its operation, and a Declaration of Covenants, Conditions, and Restrictions (CCRs) or Amended Declaration of CCRs, to outline the rules to be followed and the powers of the HOA to carry out those rules.

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