

Should 15-year-old bylaws for condo be updated?

Q: My condo association's bylaws are dated 1988. How often should bylaws be reviewed and updated? What resources are available?

A: There is no general standard for when bylaws need to be overhauled, says Bellevue attorney Josh Rosenstein, of Hanson Baker Ludlow Drumheller. Rather, "the board should reread them every three years or so to see if there's something in there that prevents them from doing something, or they need additional authority to do something."

Here's a bit of context: A condo's bylaws are created by its developer and "intended to be kind of bare bones," Rosenstein says. "They don't address the day-to-day details because the developer doesn't know what the needs or wishes of the people who live there will be." This means that the bylaws may be amended, which keeps them from being frozen in time. He says one of the most common changes involves lowering quorum requirements for holding owners' meetings. Another one is some consideration of how many units can become rentals.

Your bylaws presumably were drafted in accordance with the condominium law in place at the time. In 1990, the state enacted new legislation, so you might consider reviewing your bylaws to see whether they've been updated to reflect the newer law. The new law gives associations an easier method of foreclosing against deadbeat owners and, Rosenstein says, has more specific rules for the collection of various fees.