

Seattle Condominium and Homeowners Association Attorney

Practical insights for community association board members in the Puget Sound area:

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Washington Condos Forced to Reconsider Assessment Collection Strategies

The April edition of the King County Bar Bulletin includes the following article that I authored about the difficulties Washington condominiums are facing in the area of delinquent assessment collection. While I hope that the situation described in this article improves soon, many believe that 2011 will also be a challenging year for condos seeking to collect unpaid dues from owners. An experienced condominium attorney can help associations evaluate the best course of action in each matter, collect the maximum amount possible, and avoid options that involve too much expense and risk.

Like the municipalities to which they are sometimes compared, many Washington condominium associations are struggling to maintain appropriate levels of services in the face of declining revenues. More owners are failing to pay the monthly assessments that fund maintenance and repair of buildings and common areas. Collection actions involve more cost and risk than they did a few years ago. Owner bankruptcies and lender foreclosures have become more common. These realities have compelled condominium associations and the attorneys who represent them to find new solutions to the old problem of debt collection.

It is important to note at the outset that liens and personal liability for unpaid assessments are extinguished by operation of the Washington Condominium Act unless proceedings to enforce the liens or collect the debts are instituted within three years after the assessments became due. This places obvious pressure on Washington condominium associations to address delinquencies in a timely manner.

Personal lawsuits involve obtaining judgments against owners and garnishing their wages or assets to satisfy debts. This can



About Me

My name is Kevin L. Britt originally from Houston, moved to Seattle in 2007, earned my law degree from University of Texas School of Law. My wife and I spend our free time enjoying two energetic boys.

Contact Information

Law Office of Kevin L. Britt
4500 9th Avenue NE, Suite 1000
Seattle, WA 98105

(206) 829-2417

kevinlbritt@gmail.com

[Website](#)