SENATE DOCKET, NO. 1326 FILED ON: 1/18/2013

SENATE . . . . . No. 606

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act protecting condominium owners.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard T. Moore	*Worcester and Norfolk*

SENATE DOCKET, NO. 1326 FILED ON: 1/18/2013

SENATE . . . . . No. 606

By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 606) of Richard T. Moore for legislation to protect condominium owners. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *610* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act protecting condominium owners.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 183A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following new sections:--

Section 23. (a) There is hereby established an office of the condominium ombudsman, to be located for administrative purposes within the department of housing and community development. The functions of the office shall be funded by the department.

(b) The undersecretary shall establish a statewide condominium ombudsman program for the purpose of receiving, investigating and resolving through administrative action complaints received by unit owners, boards of directors, board members, community associations, and other parties. The undersecretary shall appoint an ombudsman to act as the director of the program who shall be a person qualified by training and experience to perform the duties of the office.

Section 24. In order to ensure the goals of the ombudsman program are met, the ombudsman shall:--

(a) Prepare and issue reports and recommendations to the undersecretary, the attorney general, the inspector general, the general court, or any relevant agency, on any matter or subject within jurisdiction of the department. When making recommendations to the general court, the ombudsman shall include drafts of legislation, if required; and

17 (b) serve as a liaison between the executive office of economic development, or any
18 relevant department and unit owners, boards of directors, board members, community
19 association managers, and other affected parties. The ombudsman shall develop policies and
20 procedures to assist unit owners, boards of directors, board members, community association
21 managers, and other affected parties to understand their rights and responsibilities as set forth in
22 this chapter and the condominium documents governing their respective association. The
23 ombudsman shall coordinate and assist in the promulgation of educational materials; and

24 (c) to make recommendations to the department for changes in rules and procedures for
25 the filing, investigation, and resolution of complaints filed by unit owners, associations, and
26 managers; and

27 (d) to provide resources to assist members of boards of directors and officers of
28 associations to carry out their powers and duties consistent with this chapter, division rules, and
29 the condominium documents governing the association;