

SENATE No. 610

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 adoption of the accompanying bill:

An Act protecting condominium owners.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Richard T. Moore

Harriette L. Chandler

SENATE No. 610

By Mr. Moore, a petition (accompanied by bill, Senate, No. 610) of Richard T. Moore and Harriette L. Chandler for legislation to protect condominium owners. Housing.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

1 SECTION 1. Chapter 183A of the general laws, as appearing in the 2008
2 Official Edition, is hereby amended by inserting at the end thereof the following new sections:--

3 Section 23. (a) There is hereby established an Office of the Condominium
4 Ombudsman, to be located for administrative purposes within the Department of Housing and
5 Community Development. The functions of the office shall be funded by the department.

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

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

14 (a) Prepare and issue reports and recommendations to the Undersecretary, the
15 Attorney General, the Inspector General, the Legislature, or any relevant agency, on any matter
16 or subject within jurisdiction of the department. When making recommendations to the
17 Legislature, the ombudsman shall include drafts of legislation, if required; and

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

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

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