HOUSE DOCKET, NO. 3869 FILED ON: 5/20/2015

HOUSE . . . . . No. 3912

The Commonwealth of Massachusetts

PRESENTED BY:

Hannah Kane

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 relative to a special commission to study condominium law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Hannah Kane	*11th Worcester*	*5/20/2015*

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By Mrs. Kane of Shrewsbury, a petition (subject to Joint Rule 12) of Hannah Kane for an investigation by a special commission (including members of the General Court) relative to the condominium laws. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1092* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to a special commission to study condominium law.

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. There shall be a special commission established to study condominium law, relative to: owner's rights, association and management responsibilities to owners, independent audits of accounts held for improvements, upgrades, and maintenance, oversight authority for the development of regulations by an appropriate state office or agency, and any other matters relevant to this subject. This special sub-committee shall meet and may hold hearings and invite testimony from experts and the public to help generate a report to the House and Senate no later than January 1, 2011 which shall proffer recommendations to establish future condominium regulations and statute. The committee shall consist of seven members, two each appointed by the Speaker of the House and the Senate President and three appointed by the Governor, one of whom shall be the Chair, and must include at least the following individuals:

An attorney (1) who specializes in condominium law and whose client base is comprised mostly (over 51%) of condo unit owners, unit owner groups or aggrieved unit owners and whose client base is not comprised mostly of Property Management companies and/or condo Boards of Trustees.

An individual condo unit owners who are not members of their Board of Trustees

A Certified Property Manager who possess either the PCAM, CMCA and/or the AMS designation. (Legislators or legislative aides) who can review with the committee laws that were successfully passed in other states to determine if we can utilize similar statutes.

Areas that shall be explored by the committee and for which subsequent recommendations should be developed include (but are not limited to):

Board of Trustee meetings, including the procedures and elections thereto;

Annual Meetings

Unit Owner's rights and enforcement

Association and management responsibilities to owners

Independent audits of accounts held for improvements, upgrades, and maintenance

Distribution of information, documents and meeting minutes by the Management company or Board members, to unit owners

How condo fees are determined and are increased

Oversight authority for the development of regulations by an appropriate state office or agency

Formal process to mediate/resolve Unit Owner and Board disputes

Rules and Regulations, fees, fines and assessments

Any other matters relevant to this subject