

HOUSE No. 1424

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:
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/4/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/5/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/9/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/18/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/24/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>4/8/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>12/9/2021</i>

HOUSE No. 1424

By Mrs. Kane of Shrewsbury, a petition (accompanied by bill, House, No. 1424) of Hannah Kane and others 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. 1301 OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

1 SECTION 1. There shall be a special commission established to study condominium
2 law, relative to: owner's rights, association and management responsibilities to owners,
3 independent audits of accounts held for improvements, upgrades, and maintenance, oversight
4 authority for the development of regulations by an appropriate state office or agency, and any
5 other matters relevant to this subject. This special sub-committee shall meet and may hold
6 hearings and invite testimony from experts and the public to help generate a report to the House
7 and Senate no later than January 1, 2022 which shall proffer recommendations to establish future
8 condominium regulations and statute. The committee shall consist of seven members, two each
9 appointed by the Speaker of the House and the Senate President and three appointed by the
10 Governor, one of whom shall be the Chair, and must include at least the following individuals:

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

15 An individual condo unit owner who is not a member of their Board of Trustees

16 A Certified Property Manager who possesses either the PCAM, CMCA and/or the AMS
17 designation.

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

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

21 Annual Meetings

22 Unit Owner's rights and enforcement

23 Association and management responsibilities to owners

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

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

27 How condo fees are determined and are increased

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

- 30 Formal process to mediate/resolve Unit Owner and Board disputes
- 31 Rules and Regulations, fees, fines and assessments
- 32 Any other matters relevant to this subject.