

## COMMITTEE ON HOUSING ~ BILL SUMMARY

**Bill Number:** H.1523

**Name:** An Act establishing an office of the condominium ombudsman

**Sponsor(s):** Representative Kevin Honan (18th Middlesex)

**Hearing Date:** June 4, 2025

**Prior History:** Refile; 2023-24: Received a favorable from the Joint Committee on Housing

**Reporting Deadline:** August 3, 2025

**Similar Matters:**

**CURRENT LAW:** *M.G.L. c. 183A — Condominium Law*

### PROPOSED CHANGE:

This bill would establish an Office of the Condominium Ombudsman within the Office of the Attorney General. The functions of the office shall be funded by the Office of the Attorney General as the Attorney General would create 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 Attorney General shall appoint the ombudsman to act as the director of the program.

The condominium ombudsman would prepare and issue reports and recommendations to the Attorney General, the Inspector General, the Legislature, or any relevant agency, on any matter or subject within the jurisdiction of the Attorney General.

When making recommendations to the Legislature, the ombudsman shall include drafts of legislation as well as:

1. Serve as a liaison between unit owners, boards of directors, board members, community association managers, and other affected parties. The ombudsman shall develop policies and procedures to assist unit owners, boards of directors, board members, community association managers, and other affected parties to understand their rights and responsibilities and the condominium documents governing their respective association. The ombudsman shall coordinate and assist in the promulgation of educational materials;

2. Make recommendations to the Attorney General for changes in rules and procedures for the filing, investigation, and resolution of complaints filed by unit owners, associations, and managers;
3. Provide resources to assist members of boards of directors and officers of associations to carry out their powers and duties consistent with this chapter, division rules, and the condominium documents governing the association.

Upon the transferring of a condominium ownership to one owner to another that exceeds \$100, the seller shall pay the Attorney General a fee of \$50, which shall be used exclusively to fund the condominium ombudsman office and the Condominium Mediation Pilot Program.

The Condominium Mediation Pilot Program would allow the ombudsman to employ more than two mediators to support the Ombudsman's goal of resolving disputes between unit owners, boards of directors, board members, community association managers, and other affected parties. The mediators would mediate disputes regarding delinquent fees. The mediators would not issue written decisions, nor will any decision or opinion be binding. The ombudsman shall issue guidelines setting income and/or property value limits for participation in the program. The ombudsman shall set a fee to be charged to the participant initiating in the program, which shall not be more than \$200, provided however, the ombudsman shall grant fees waivers for indigent participants, senior citizens, and in their discretion.