



General Assembly

**Substitute Bill No. 7288**

January Session, 2007

\*        HB07288JUD        041007        \*

**AN ACT CONCERNING THE LICENSING OF COMMUNITY ASSOCIATION MANAGERS AND THE RIGHTS OF UNIT OWNERS IN CONDOMINIUMS AND OTHER COMMON INTEREST COMMUNITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 20-450 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2008*):

3       As used in sections 20-450 to 20-462, inclusive, as amended by this  
4 act, and sections 13 to 16, inclusive, of this act, unless the context  
5 otherwise requires:

6       (1) "Association" means (A) an association, as defined in section 47-  
7 202, and an association of unit owners, as defined in section 47-68a and  
8 in section 47-68 of the general statutes, revision of 1958, revised to  
9 January 1, 1975, and (B) the mandatory owners organization of any  
10 common interest community, as defined in section 47-202, which  
11 community was not created under chapter 825 or 828 or under chapter  
12 825 of the general statutes, revision of 1958, revised to January 1, 1975.  
13 "Association" does not include an association of a common interest  
14 community which contains only units restricted to nonresidential use;

15       (2) "Community association manager" means a person who  
16 provides association management services, and includes any partner,  
17 director, officer, employee or agent of such person who directly

18 provides association management services on behalf of such person;

19 (3) "Association management services" means services provided to  
20 an association for remuneration, including one or more of the  
21 following: (A) Collecting, controlling or disbursing funds of the  
22 association or having the authority to do so; (B) preparing budgets or  
23 other financial documents for the association; (C) assisting in the  
24 conduct of or conducting association meetings; (D) advising or  
25 assisting the association in obtaining insurance; (E) coordinating or  
26 supervising the overall operations of the association; and (F) advising  
27 the association on the overall operations of the association. Any person  
28 licensed in this state under any provision of the general statutes or  
29 rules of court who provides the services for which [he] such person is  
30 licensed to an association for remuneration [,] shall not be deemed to  
31 be providing association management services. Any director, officer or  
32 other member of an association who provides services specified in this  
33 subdivision to the association of which he or she is a member shall not  
34 be deemed to be providing association management services unless  
35 such director, officer or other member owns or controls more than  
36 two-thirds but less than all of the votes in such association;

37 (4) "Commission" means the [Connecticut Real Estate Commission  
38 appointed under the provisions of section 20-311a] Connecticut  
39 Community Association Commission appointed under the provisions  
40 of section 13 of this act;

41 (5) "Department" means the Department of Consumer Protection;  
42 and

43 (6) "Person" means an individual, partnership, corporation, limited  
44 liability company or other legal entity.

45 Sec. 2. Section 20-451 of the general statutes is repealed and the  
46 following is substituted in lieu thereof (*Effective January 1, 2008*):

47 No person shall hold himself or herself out to be a community  
48 association manager or provide association management services

49 without first obtaining a [certificate of registration] license as provided  
50 in sections 20-450 to 20-462, inclusive, as amended by this act, and  
51 sections 13 to 16, inclusive, of this act.

52 Sec. 3. Section 20-452 of the general statutes is repealed and the  
53 following is substituted in lieu thereof (*Effective January 1, 2008*):

54 (a) Any person seeking a [certificate of registration] license as a  
55 community association manager shall apply to the department, in  
56 writing, on a form provided by the department. Such application shall  
57 include the applicant's name, residence address, business address,  
58 business telephone number and such other information as the  
59 department may require.

60 (b) Each application for a [certificate of registration] license as a  
61 community association manager shall be accompanied by an  
62 application fee of sixty dollars and a [registration] license fee of one  
63 hundred dollars. The department shall refund the [registration] license  
64 fee if it refuses to issue a [certificate of registration] license. The  
65 payment of an application fee shall entitle an applicant who otherwise  
66 meets the requirements established by the commission to take the  
67 written examination, as provided in subsection (c) of this section, four  
68 times within the one-year period from the date of payment. In addition  
69 to the application fee, applicants taking an examination administered  
70 by a national testing service shall be required to pay directly to such  
71 testing service an examination fee covering the cost of such  
72 examination.

73 (c) The commission shall subject any applicant for a license under  
74 this section to personal written examination as to the applicant's  
75 competency to act as a community association manager. Such  
76 examination shall be prepared by the Department of Consumer  
77 Protection or by a national testing service designated by the  
78 Commissioner of Consumer Protection and shall be administered to  
79 applicants by the Department of Consumer Protection or by such  
80 testing service at such times and places as the commissioner deems

81 necessary. The commission may waive the written examination  
82 requirement in the case of an applicant who, in the opinion of the  
83 commission, has taken an equivalent written examination in another  
84 state and has received a score deemed satisfactory by the commission.

85 (d) Each applicant for a license as a community association manager  
86 shall, before being admitted to an examination as provided in  
87 subsection (c) of this section, prove to the satisfaction of the  
88 commission that the applicant has successfully completed a course  
89 approved by the commission in community association management  
90 principles and practices, or that the applicant has equivalent  
91 experience or education as determined by the commission.

92 Sec. 4. Section 20-453 of the general statutes is repealed and the  
93 following is substituted in lieu thereof (*Effective January 1, 2008*):

94 Upon receipt of a completed application and the appropriate fees,  
95 and after an examination as provided in subsection (c) of section 20-  
96 452, as amended by this act, the department, upon authorization of the  
97 commission, shall: (1) Issue and deliver to the applicant a [certificate of  
98 registration] license as a community association manager; or (2) refuse  
99 to issue [the certificate] or renew such license. The commission may  
100 suspend, revoke or refuse to issue or renew any [certificate] license  
101 issued under sections 20-450 to 20-462, inclusive, as amended by this  
102 act, and sections 13 to 16, inclusive, of this act, or may place a  
103 [registrant] licensee on probation or issue a letter of reprimand for any  
104 of the reasons stated in subsection (a) of section 20-456, as amended by  
105 this act. No application for the reinstatement of a [certificate] license  
106 which has been revoked shall be accepted by the department within  
107 one year after the date of such revocation.

108 Sec. 5. Section 20-254 of the general statutes is repealed and the  
109 following is substituted in lieu thereof (*Effective January 1, 2008*):

110 (a) Upon refusal to issue or renew a [certificate] license as a  
111 community association manager, the department shall notify the  
112 applicant of the denial and of [his] the applicant's right to request a

113 hearing within ten days from the date of receipt of the notice of denial.

114 (b) In the event the applicant requests a hearing within such ten  
115 days, the commission shall give notice of the grounds for its refusal  
116 and shall conduct a hearing concerning such refusal in accordance  
117 with the provisions of chapter 54 concerning contested cases.

118 (c) In the event the commission's denial of a [certificate] license is  
119 sustained after such hearing, an applicant may make new application  
120 not less than one year after the date on which such denial was  
121 sustained.

122 Sec. 6. Section 20-455 of the general statutes is repealed and the  
123 following is substituted in lieu thereof (*Effective January 1, 2008*):

124 (a) The commission may hold hearings on any matter under the  
125 provisions of sections 20-450 to 20-462, inclusive, as amended by this  
126 act, and sections 13 to 16, inclusive, of this act, and any matter  
127 concerning a violation of chapter 825 or 828 by an association or the  
128 governing board or any officer of such association. The commission or  
129 department may issue subpoenas, administer oaths, compel testimony  
130 and order the production of books, records and documents. If any  
131 person refuses to appear, to testify or to produce any book, record,  
132 paper or document when so ordered, upon application of the  
133 commission or department, a judge of the Superior Court may make  
134 such order as may be appropriate to aid in the enforcement of this  
135 section.

136 (b) The Attorney General, at the request of the commission or  
137 department or after investigation of a complaint concerning a violation  
138 of chapter 825 or 828 by an association or the governing board or any  
139 officer of such association, is authorized to apply in the name of the  
140 state of Connecticut to the Superior Court for an order temporarily or  
141 permanently restraining and enjoining any person from violating any  
142 provision of sections 20-450 to 20-462, inclusive, as amended by this  
143 act, sections 13 to 16, inclusive, of this act or chapter 825 or 828, or an  
144 order requiring such person to make restitution for any damages

145 caused by the violation, or both.

146 (c) For the purposes of this section, "governing board" means (1) an  
147 executive board, as defined in section 47-202, and (2) a board of  
148 directors, as defined in section 47-68a.

149 Sec. 7. Section 20-456 of the general statutes is repealed and the  
150 following is substituted in lieu thereof (*Effective January 1, 2008*):

151 (a) The commission may revoke, suspend or refuse to issue or renew  
152 any [certificate of registration] license as a community association  
153 manager or place a [registrant] licensee on probation or issue a letter of  
154 reprimand for: (1) Making any material misrepresentation; (2) making  
155 any false promise of a character likely to influence, persuade or induce;  
156 (3) failing, within a reasonable time, to account for or remit any  
157 moneys coming into [his] the licensee's possession which belong to  
158 others; (4) conviction in a court of competent jurisdiction of this or any  
159 other state of forgery, embezzlement, obtaining money under false  
160 pretenses, larceny, extortion, conspiracy to defraud, or other like  
161 offense or offenses, provided suspension or revocation under this  
162 subdivision shall be subject to the provisions of section 46a-80; (5)  
163 commingling funds of others in an escrow or trustee account; (6)  
164 commingling funds of different associations; (7) any act or conduct  
165 which constitutes dishonest, fraudulent or improper dealings; or (8) a  
166 violation of any provision of sections 20-450 to 20-462, inclusive, as  
167 amended by this act, or sections 13 to 16, inclusive, of this act, or any  
168 regulation adopted under section 20-461, as amended by this act.

169 (b) The commission shall not revoke or suspend any [certificate of  
170 registration] license as a community association manager except upon  
171 notice and hearing in accordance with chapter 54.

172 Sec. 8. Section 20-457 of the general statutes is repealed and the  
173 following is substituted in lieu thereof (*Effective January 1, 2008*):

174 (a) Each person engaged in providing association management  
175 services shall (1) exhibit [his certificate of registration] such person's

176 license upon request by any interested party, (2) state in any  
177 advertisement the fact that [he is registered] such person is licensed,  
178 and (3) include [his registration] such person's license number in any  
179 advertisement.

180 (b) No person shall: (1) Present or attempt to present, as [his] such  
181 person's own, the [certificate] license of another, (2) knowingly give  
182 false evidence of a material nature to the commission or department  
183 for the purpose of procuring a [certificate] license, (3) represent himself  
184 or herself falsely as, or impersonate, a [registered] licensed community  
185 association manager, (4) use or attempt to use a [certificate] license  
186 which has expired or which has been suspended or revoked, (5)  
187 provide or offer to provide association management services without  
188 having a current [certificate of registration] license under sections 20-  
189 450 to 20-462, inclusive, as amended by this act, and sections 13 to 16,  
190 inclusive, of this act, or (6) represent in any manner that [his  
191 registration] such person's licensure constitutes an endorsement of the  
192 quality of [his] such person's services or of [his] such person's  
193 competency by the commission or department. In addition to any  
194 other remedy provided for in sections 20-450 to 20-462, inclusive, as  
195 amended by this act, and sections 13 to 16, inclusive, of this act, any  
196 person who violates any provision of this subsection shall be fined not  
197 more than five hundred dollars or imprisoned for not more than one  
198 year, or be both fined and imprisoned. A violation of any of the  
199 provisions of sections 20-450 to 20-462, inclusive, as amended by this  
200 act, and sections 13 to 16, inclusive, of this act, shall be deemed an  
201 unfair or deceptive trade practice under subsection (a) of section 42-  
202 110b.

203 (c) [Certificates] Licenses issued to community association managers  
204 shall not be transferable or assignable.

205 (d) All [certificates] licenses issued under the provisions of sections  
206 20-450 to 20-462, inclusive, as amended by this act, and sections 13 to  
207 16, inclusive, of this act, shall expire annually on the thirty-first day of  
208 January, except as provided in section 16 of this act. The fee for

209 renewal of a [certificate] license shall be one hundred dollars.

210 (e) A community association manager whose [certificate] license has  
211 expired more than one month before his or her application for renewal  
212 is made shall have his [registration] or her license restored upon  
213 payment of a fee of twenty-five dollars in addition to [his] the renewal  
214 fee. Restoration of a [registration] license shall be effective upon  
215 approval of the application for renewal by the commission.

216 (f) A [certificate] license shall not be restored unless it is renewed  
217 not later than one year after its expiration.

218 (g) Failure to receive a notice of expiration or a renewal application  
219 shall not exempt a community association manager from the obligation  
220 to renew his or her license.

221 Sec. 9. Subsection (a) of section 20-458 of the general statutes is  
222 repealed and the following is substituted in lieu thereof (*Effective*  
223 *January 1, 2008*):

224 (a) No contract between a person contracting to provide association  
225 management services and an association which provides for the  
226 management of the association shall be valid or enforceable unless the  
227 contract is in writing and:

228 (1) Provides that the person contracting to provide management  
229 services shall be [registered] licensed as provided in sections 20-450 to  
230 20-462, inclusive, as amended by this act, and sections 13 to 16,  
231 inclusive, of this act, and shall obtain a bond as provided in section 20-  
232 460, as amended by this act; and

233 (2) Provides that the person contracting to provide management  
234 services shall not issue a check on behalf of the association or transfer  
235 moneys exceeding a specified amount determined by the association  
236 without the written approval of an officer designated by the  
237 association; and

238 (3) Provides that the person contracting to provide management

239 services shall not enter into any contract binding the association  
240 exceeding a specified amount determined by the association, except in  
241 the case of an emergency, without the written approval of an officer  
242 designated by the association.

243 Sec. 10. Subsection (a) of section 20-460 of the general statutes is  
244 repealed and the following is substituted in lieu thereof (*Effective*  
245 *January 1, 2008*):

246 (a) No person who provides association management services under  
247 the provisions of sections 20-450 to 20-462, inclusive, as amended by  
248 this act, and sections 13 to 16, inclusive, of this act, shall control,  
249 collect, have access to or disburse funds of an association unless, at all  
250 times during which the person controls, collects, has access to or  
251 disburses such funds, there is in effect [,] a fidelity bond complying  
252 with the provisions of this section.

253 Sec. 11. Section 20-461 of the general statutes is repealed and the  
254 following is substituted in lieu thereof (*Effective January 1, 2008*):

255 The [department] Commissioner of Consumer Protection, with the  
256 advice and assistance of the commission, shall adopt regulations, in  
257 accordance with chapter 54, to carry out the provisions of sections 20-  
258 450 to 20-462, inclusive, as amended by this act, and sections 13 to 16,  
259 inclusive, of this act. Such regulations shall include, but not be limited  
260 to: (1) Passing scores for examinations as provided in subsection (c) of  
261 section 20-452, as amended by this act; (2) required topics and  
262 classroom hours for courses as provided in subsection (d) of said  
263 section; and (3) continuing education requirements for the renewal of a  
264 license as a community association manager.

265 Sec. 12. Section 20-462 of the general statutes is repealed and the  
266 following is substituted in lieu thereof (*Effective January 1, 2008*):

267 Any person aggrieved by an order or decision of the commission  
268 under sections 20-450 to 20-462, inclusive, as amended by this act, and  
269 sections 13 to 16, inclusive, of this act, may appeal [therefrom] from

270 such order or decision in accordance with the provisions of section 4-  
271 183.

272 Sec. 13. (NEW) (*Effective January 1, 2008*) (a) There is created in the  
273 department the Connecticut Community Association Commission.

274 (b) The commission shall consist of eight persons who shall be  
275 electors of the state and appointed by the Governor. Five of the  
276 members shall be at the time of appointment licensed community  
277 association managers, except that the initial appointees shall be so  
278 licensed at the time of or within one month after appointment, and  
279 three of the members shall be public members. Not more than a bare  
280 majority of the commission shall be members of the same political  
281 party and there shall be at least one member from each congressional  
282 district.

283 (c) The members of the commission shall serve until the expiration  
284 of the term for which they were appointed and until their successors  
285 have qualified. Members shall not be compensated for their services  
286 but shall be reimbursed for necessary expenses incurred in the  
287 performance of their duties. The Governor may remove any member  
288 for cause upon notice and an opportunity to be heard. Upon the death,  
289 resignation or removal of a member, the Governor shall appoint a  
290 successor to serve for the unexpired portion of the vacated term and  
291 until such member's successor is appointed and qualifies. Each  
292 member shall, before entering upon such member's duties, take and  
293 file with the commission an oath to faithfully perform the duties of  
294 such member's office.

295 Sec. 14. (NEW) (*Effective January 1, 2008*) (a) Within thirty days after  
296 the appointment of the members of the commission, the commission  
297 shall meet in the city of Hartford for the purpose of organizing by  
298 selecting such officers other than a chairperson as the commission may  
299 deem necessary and appropriate. A majority of the members of the  
300 commission shall constitute a quorum for the exercise of the powers or  
301 authority conferred upon it.

302 (b) The commission shall:

303 (1) Authorize the department to issue licenses to community  
304 association managers;

305 (2) Administer the provisions of sections 20-450 to 20-462, inclusive,  
306 of the general statutes, as amended by this act, and sections 13 to 16,  
307 inclusive, of this act as to the licensure and the issuance, renewal,  
308 suspension or revocation of licenses of community association  
309 managers; and

310 (3) Receive complaints of violations of chapter 825 or 828 of the  
311 general statutes by associations or the governing boards or officers of  
312 such associations.

313 (c) The commission shall be provided with the necessary office  
314 space in Hartford by the Commissioner of Public Works. The place of  
315 business of the commission and all files, records and property of the  
316 commission shall at all times be and remain at such office, except that  
317 inactive files shall be stored at a location designated by the  
318 commission.

319 (d) The commission shall hold meetings and hearings in Hartford,  
320 in space provided by the Commissioner of Administrative Services, or  
321 at such places outside of Hartford as shall be determined by the  
322 chairperson of the commission. The commission shall meet at least  
323 once in each three-month period and may meet more often at the call  
324 of its chairperson. The chairperson of the commission shall call a  
325 meeting of the commission whenever requested to do so by a majority  
326 of the members of the commission.

327 (e) The commission shall vote on all matters requiring a decision  
328 and votes shall be recorded in the commission's minutes.

329 Sec. 15. (NEW) (*Effective January 1, 2008*) In addition to any other  
330 remedy provided for in sections 20-450 to 20-462, inclusive, of the  
331 general statutes, as amended by this act, sections 13 to 16, inclusive, of

332 this act or chapter 416 of the general statutes, the commission or the  
333 Commissioner of Consumer Protection may, after notice and hearing,  
334 impose a civil penalty on any person providing association  
335 management services who has engaged in one or more of the activities  
336 specified in subdivisions (1), (2), (3) and (5) to (8), inclusive, of  
337 subsection (a) of section 20-456 of the general statutes, as amended by  
338 this act, and subdivisions (1) to (6), inclusive, of subsection (b) of  
339 section 20-457 of the general statutes, as amended by this act. Such civil  
340 penalty shall be in an amount not more than one thousand dollars for a  
341 first violation of this section, not more than one thousand five hundred  
342 dollars for a second violation of this section and not more than three  
343 thousand dollars for each violation of this section occurring less than  
344 three years after a second or subsequent violation of this section.

345       Sec. 16. (NEW) (*Effective January 1, 2008*) The department shall issue  
346 a license as a community association manager to any person holding a  
347 valid certificate of registration as a community association manager on  
348 the effective date of this section, upon payment of a license fee of one  
349 hundred dollars, provided such person shall take and receive a  
350 satisfactory score on the examination required by subsection (c) of  
351 section 20-452 of the general statutes, as amended by this act, during  
352 the period commencing on the effective date of this section and ending  
353 one year from said date. Such license shall expire on the thirty-first day  
354 of January of the year immediately following the year in which it is  
355 issued and shall not be renewed by the department if such person fails  
356 to take or receive a satisfactory score on such examination during such  
357 period. The provisions of subsection (d) of section 20-452 of the general  
358 statutes, as amended by this act, shall not apply to the issuance or  
359 renewal of any such license.

360       Sec. 17. Section 21a-6 of the general statutes is repealed and the  
361 following is substituted in lieu thereof (*Effective January 1, 2008*):

362       The following boards shall be within the Department of Consumer  
363 Protection:

364 (1) The Architectural Licensing Board established under chapter  
365 390;

366 (2) Repealed by P.A. 93-151, S. 3, 4;

367 (3) The examining boards for electrical work; plumbing and piping  
368 work; heating, piping, cooling and sheet metal work; elevator  
369 installation, repair and maintenance work; fire protection sprinkler  
370 systems work and automotive glasswork and flat glass work  
371 established under chapter 393;

372 (4) The State Board of Television and Radio Service Examiners  
373 established under chapter 394;

374 (5) The Commission of Pharmacy established under chapter 400j;

375 (6) The State Board of Landscape Architects established under  
376 chapter 396;

377 (7) Deleted by P.A. 98-229;

378 (8) The State Board of Examiners for Professional Engineers and  
379 Land Surveyors established under chapter 391;

380 (9) Repealed by P.A. 80-484, S. 175, 176;

381 (10) The Connecticut Real Estate Commission established under  
382 chapter 392;

383 (11) The Connecticut Real Estate Appraisal Commission established  
384 under chapter 400g;

385 (12) The State Board of Examiners of Shorthand Reporters  
386 established under chapter 400l;

387 (13) The Liquor Control Commission established under chapter 545;

388 (14) Repealed by P.A. 06-187, S. 99, effective October 1, 2006;

389 (15) The Home Inspection Licensing Board established under

390 section 20-490a;

391 (16) The Connecticut Community Association Commission  
392 established under chapter 400b, as amended by this act.

393 Sec. 18. Subsection (d) of section 21a-9 of the general statutes is  
394 repealed and the following is substituted in lieu thereof (*Effective*  
395 *January 1, 2008*):

396 (d) As used in chapters 390, 391, 392, 393, 394, 396, 400b, as  
397 amended by this act, 400g, 400j, 482 and 400l:

398 (1) "Certificate" includes the whole or part of any Department of  
399 Consumer Protection permit which the department issues under  
400 authority of the general statutes and which (A) authorizes practice of  
401 the profession by certified persons but does not prohibit the practice of  
402 the profession by others, not certified, (B) prohibits a person from  
403 falsely representing that such person is certified to practice the  
404 profession unless the person holds a certificate issued by the  
405 department, and (C) requires as a condition of certification that a  
406 person submit specified credentials to the department which attest to  
407 qualifications to practice the profession.

408 (2) "License" includes the whole or part of any Department of  
409 Consumer Protection permit, approval, or similar form of permission  
410 which the department issues under authority of the general statutes  
411 and which requires (A) practice of the profession by licensed persons  
412 only, (B) demonstration of competence to practice by examination or  
413 other means and meeting of certain minimum standards, and (C)  
414 enforcement of standards by the department or regulatory board or  
415 commission.

416 (3) "Registration" includes the whole or part of any Department of  
417 Consumer Protection permit which the department issues under  
418 authority of the general statutes and which (A) requires persons to  
419 place their names on a list maintained by the department before they  
420 can engage in the practice of a specified profession or occupation, (B)

421 does not require a person to demonstrate competence by examination  
422 or other means, and (C) may be revoked or suspended by the  
423 commissioner for cause.

424 Sec. 19. Section 47-80a of the general statutes is repealed and the  
425 following is substituted in lieu thereof (*Effective October 1, 2007*):

426 (a) Except to the extent prohibited by the condominium  
427 instruments, and subject to any restrictions and limitations specified  
428 therein, the unit owners' association, whether incorporated or  
429 unincorporated, shall have the power to: (1) Employ, dismiss and  
430 replace agents and employees to exercise and discharge the powers  
431 and responsibilities of the association; (2) make or cause to be made  
432 additional improvements on and as a part of the common elements; (3)  
433 grant or withhold approval of any action by one or more unit owners  
434 or other persons entitled to occupancy of any unit which would  
435 change the exterior appearance of any unit or of any other portion of  
436 the condominium, or elect or provide for the appointment of an  
437 architectural control committee [,] to grant or withhold such approval;  
438 (4) acquire, hold, convey and encumber title to real property,  
439 including, but not limited to, condominium units and the common  
440 elements appurtenant thereto, recreation facilities and personal  
441 property; (5) sue and be sued in any court, [;] appear on behalf of all  
442 unit owners before any officer, agency, board, commission or  
443 department of the state or any political subdivision thereof and appeal  
444 from any judgments, orders, decisions or decrees rendered by the  
445 same; and (6) [to] grant easements through the common elements and  
446 accept easements benefiting the condominium or any portion thereof.  
447 The foregoing enumeration of powers shall not be construed to  
448 prohibit the grant by the condominium instruments of other powers  
449 and responsibilities to the unit owners' association, [nor] or to divest a  
450 unit owners' association incorporated as a stock corporation under  
451 chapter 601 or any predecessor statutes thereto, or as a nonstock  
452 corporation under chapter 602 or any predecessor statutes thereto, of  
453 any powers which it may exercise thereunder.

454 (b) Notwithstanding any provision of the condominium instruments  
455 to the contrary, at any meeting of the unit owners to consider the final  
456 adoption or ratification of any proposed budget for the condominium,  
457 or on a day prior to such meeting, the board of directors shall provide  
458 a reasonable opportunity for all unit owners to express their views  
459 concerning the proposed budget before its adoption or ratification. At  
460 least one copy of the proposed budget shall be available for inspection  
461 at such meeting.

462 Sec. 20. Subsection (b) of section 47-81 of the general statutes is  
463 repealed and the following is substituted in lieu thereof (*Effective*  
464 *October 1, 2007*):

465 (b) (1) Records maintained by the declarant, by the association or by  
466 the manager, including, but not limited to, minutes of meetings and  
467 voting records of the board of directors, shall be made available for  
468 examination and copying by any unit owner, [his] or the unit owner's  
469 duly authorized [agents or attorneys] agent, at the expense of the unit  
470 owner, during normal business hours [and after reasonable notice]  
471 upon the request of such unit owner or agent.

472 (2) Notwithstanding any provision of the condominium instruments  
473 to the contrary, at least fourteen days prior to entering into any loan  
474 agreement on behalf of the association of unit owners, the board of  
475 directors shall (A) disclose in writing to all unit owners the amount  
476 and terms of the loan and the effect of such loan on any assessment for  
477 common expenses, and (B) afford the unit owners a reasonable  
478 opportunity to submit written comments to the board of directors with  
479 respect to such loan.

480 Sec. 21. Subsection (c) of section 47-245 of the general statutes is  
481 repealed and the following is substituted in lieu thereof (*Effective*  
482 *October 1, 2007*):

483 (c) [Within] Notwithstanding any provision of the declaration or  
484 bylaws to the contrary, within thirty days after adoption of any  
485 proposed budget for the common interest community, the executive

486 board shall provide a summary of the proposed budget to all the unit  
487 owners and shall set a date for a meeting of the unit owners to  
488 consider ratification of the proposed budget not less than fourteen  
489 [nor] or more than thirty days after hand-delivery or mailing of the  
490 summary. At such meeting, or on a day prior to such meeting, the  
491 executive board shall provide a reasonable opportunity for all unit  
492 owners to express their views concerning the proposed budget before  
493 its ratification. At least one copy of the proposed budget shall be  
494 available for inspection at such meeting. Unless at [that] such meeting  
495 a majority of all unit owners, or any larger vote specified in the  
496 declaration, reject the proposed budget, the budget is ratified, whether  
497 or not a quorum is present. In the event the proposed budget is  
498 rejected, the periodic budget last ratified by the unit owners shall be  
499 continued until such time as the unit owners ratify a subsequent  
500 budget proposed by the executive board as provided in this  
501 subsection.

502 Sec. 22. Section 47-260 of the general statutes is repealed and the  
503 following is substituted in lieu thereof (*Effective October 1, 2007*):

504 (a) The association shall keep financial records sufficiently detailed  
505 to enable the association to comply with section 47-270. All accounting,  
506 financial and other books and records of the association, including, but  
507 not limited to, minutes of meetings and voting records of the executive  
508 board, shall be made reasonably available by the executive board or a  
509 managing agent of the association for examination and copying by any  
510 unit owner, [and his] or the unit owner's authorized [agents] agent,  
511 upon the request of such unit owner or agent.

512 (b) Notwithstanding any provision of the declaration or bylaws to  
513 the contrary, at least fourteen days prior to entering into any loan  
514 agreement on behalf of the association, the executive board shall (1)  
515 disclose in writing to all unit owners the amount and terms of the loan  
516 and the effect of such loan on any common expense assessment, and  
517 (2) afford the unit owners a reasonable opportunity to submit written  
518 comments to the executive board with respect to such loan.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2008</i>	20-450
Sec. 2	<i>January 1, 2008</i>	20-451
Sec. 3	<i>January 1, 2008</i>	20-452
Sec. 4	<i>January 1, 2008</i>	20-453
Sec. 5	<i>January 1, 2008</i>	20-254
Sec. 6	<i>January 1, 2008</i>	20-455
Sec. 7	<i>January 1, 2008</i>	20-456
Sec. 8	<i>January 1, 2008</i>	20-457
Sec. 9	<i>January 1, 2008</i>	20-458(a)
Sec. 10	<i>January 1, 2008</i>	20-460(a)
Sec. 11	<i>January 1, 2008</i>	20-461
Sec. 12	<i>January 1, 2008</i>	20-462
Sec. 13	<i>January 1, 2008</i>	New section
Sec. 14	<i>January 1, 2008</i>	New section
Sec. 15	<i>January 1, 2008</i>	New section
Sec. 16	<i>January 1, 2008</i>	New section
Sec. 17	<i>January 1, 2008</i>	21a-6
Sec. 18	<i>January 1, 2008</i>	21a-9(d)
Sec. 19	<i>October 1, 2007</i>	47-80a
Sec. 20	<i>October 1, 2007</i>	47-81(b)
Sec. 21	<i>October 1, 2007</i>	47-245(c)
Sec. 22	<i>October 1, 2007</i>	47-260

**JUD**      *Joint Favorable Subst.*