



General Assembly

February Session, 2010

Raised Bill No. 18

LCO No. 119

00119_____INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

AN ACT CONCERNING REAL ESTATE BROKERS AND SALESPERSONS.

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

1 Section 1. Section 20-329 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 The provisions of this chapter concerning the licensure of real estate
4 brokers and real estate salespersons shall not apply to: (1) Any person
5 who as owner or lessor performs any of the acts enumerated in section
6 20-311, with reference to property owned, leased or sought to be
7 acquired or leased by the person, or to the person's regular employees
8 who are employed as on-site residential superintendents or custodians,
9 with respect to the property so owned or leased or sought to be
10 acquired or leased when such acts are performed in the regular course
11 of, or incident to, the management of such property and the
12 investment therein; (2) any person acting as attorney-in-fact under a
13 duly executed power of attorney from the owner authorizing the final
14 consummation by performance of any contract for the sale, leasing or
15 exchange of real estate, or to service rendered by any attorney-at-law
16 in the performance of the attorney-at-law's duties as such attorney-at-

17 law; (3) a receiver, trustee in bankruptcy, administrator, executor or
18 other fiduciary, while acting as such, or any person selling real estate
19 under order of any court, or to a trustee acting under a trust
20 agreement, deed of trust or will, or the regular salaried employees
21 thereof; (4) witnesses in court as to the values of real estate; (5) persons
22 in the employ of the federal or state government or any political
23 subdivision thereof while acting in the course of such employment; (6)
24 any employee of any nonprofit housing corporation that (A) has been
25 certified as a tax-exempt organization under Section 501(c)(3) of the
26 Internal Revenue Code of 1986, or any subsequent corresponding
27 internal revenue code of the United States, as from time to time
28 amended, and manages a housing project, or (B) manages a housing
29 project assisted in whole or in part by the federal government
30 pursuant to Section 8 of The United States Housing Act of 1937, as
31 amended from time to time, while such employee is performing duties
32 in the regular course of, or incidental to, the management of such
33 housing project; (7) any person licensed to maintain or operate a
34 mobile manufactured home park under chapter 412 who performs any
35 of the acts enumerated in section 20-311, with reference to lots or
36 mobile manufactured homes within the park or to the person's
37 employees with respect to lots or mobile manufactured homes within
38 such park when such acts are performed in the regular course of, or
39 incidental to, the management of such property and the investment
40 therein; (8) persons licensed as sellers of mobile manufactured homes
41 under section 21-67; [or] (9) any person or such person's regular
42 employee who, as owner, lessor, licensor, manager, representative or
43 agent manages, leases, or licenses space on or in a tower, building or
44 other structure for (A) "personal wireless services facilities" or facilities
45 for "private mobile service" as those terms are defined in 47 USC 332,
46 which facilities shall be unattended, and the installation and
47 maintenance of related devices authorized by the Federal
48 Communications Commission, and ancillary equipment used to
49 operate such devices and equipment shelters therefor, in an area not to
50 exceed three hundred sixty square feet for any one service established

51 by the Federal Communications Commission in 47 CFR, as amended
52 from time to time, by a provider of any such service, and (B) any right
53 appropriate to access such facilities and connect or use utilities in
54 connection with such facilities; or (10) a salaried employee of a limited
55 liability company that contracts with an owner of property with leased
56 residential units to manage such property, provided such employee's
57 actions are limited to (A) exhibiting residential units on such property
58 to prospective tenants, (B) providing prospective tenants with factual
59 information about the leasing of residential real estate, (C) accepting
60 applications for the lease of residential units on such property, and (D)
61 accepting security deposits and rent payments, which shall be made
62 payable to the owner or the real estate broker employed by such
63 owner, for residential units on such property. Such employee shall not
64 negotiate the terms of any lease on behalf of such owner or real estate
65 broker.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	20-329

Statement of Purpose:

To exempt certain employees who perform limited activities on behalf of limited liability companies from the real estate broker and salesperson licensure requirements.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]