



State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

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TESTIMONY IN SUPPORT OF RB 5090 ***AN ACT CONCERNING THE HOME IMPROVEMENT GUARANTY FUND AND*** ***CONDOMINIUM ASSOCIATIONS***

General Law Committee Public Hearing **March 6, 2012**

Thank you for the opportunity to provide testimony in support of RB 5090, AN ACT CONCERNING THE HOME IMPROVEMENT GUARANTY FUND AND CONDOMINIUM ASSOCIATIONS. This bill is intended to clarify that work performed on behalf of a condominium association falls under Chapter 400 of the Connecticut General Statutes as a part of the Home Improvement Act.

In a letter from the Department of Consumer Protection to one of my constituents who served as the president of her condo association, the agency made the determination that 'a condominium complex consisting of six or more units does not meet the definition of Sec. 20-419(8)', thus making the association ineligible to access the Home Guarantee Fund. Sec. 20-419(8) defines 'private residence' as

'...a single family dwelling, a multifamily dwelling consisting of not more than six units, or a unit, common element or limited common element in a condominium, as defined in section 47-68a, or in a common interest community, as defined in section 47-202.'

In this case, the contractor was hired by the association to replace the roofs on a number of units all under the common element of the roof system. I respectfully disagree with DCP's position that since the roof covered more than six units that the Home Improvement Act does not apply. The six-unit threshold only applies to multifamily dwellings.

Work performed in this instance falls under the Home Improvement Act since it involved common element work. The Condominium Act defines 'common elements' as 'all portions of the condominium other than the units.' The roofing system certainly meets this definition. Also, one of the roles of a condo association is to oversee any and all work beyond the work performed on a single unit. In most cases, unit owners contract for work on their units while the association contracts for work on the common elements. Either way, both fall within the Home Improvement Act.

Thank you for giving consideration to favorable passage of RB 5090. I believe these minor changes will provide clarification to what was originally intended. As always, I am happy to provide additional information or answer any questions.

Regards,

A handwritten signature in black ink that reads "Clark". The letters are cursive and fluid, with a prominent capital 'C'.

Clark Chapin
State Representative 67th District