



General Assembly

Raised Bill No. 6477

January Session, 2013

LCO No. 3116



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT CONCERNING THE STATUTORY LIEN FOR ASSESSMENTS ON A CONDOMINIUM UNIT.

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

1 Section 1. Subsection (b) of section 47-258 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (b) A lien under this section is prior to all other liens and
5 encumbrances on a unit except (1) liens and encumbrances recorded
6 before the recordation of the declaration and, in a cooperative, liens
7 and encumbrances which the association creates, assumes or takes
8 subject to, (2) a first or second security interest on the unit recorded
9 before the date on which the assessment sought to be enforced became
10 delinquent, or, in a cooperative, a first or second security interest
11 encumbering only the unit owner's interest and perfected before the
12 date on which the assessment sought to be enforced became
13 delinquent, and (3) liens for real property taxes and other
14 governmental assessments or charges against the unit or cooperative.
15 The lien is also prior to all security interests described in subdivision

16 (2) of this subsection to the extent of (A) an amount equal to the
17 common expense assessments based on the periodic budget adopted
18 by the association pursuant to subsection (a) of section 47-257 which
19 would have become due in the absence of acceleration during the [six]
20 twelve months immediately preceding institution of an action to
21 enforce either the association's lien or a security interest described in
22 subdivision (2) of this subsection and (B) the association's costs and
23 attorney's fees in enforcing its lien. A lien for any assessment or fine
24 specified in subsection (a) of this section shall have the priority
25 provided for in this subsection in an amount not to exceed the amount
26 specified in subparagraph (A) of this subsection. This subsection does
27 not affect the priority of mechanics' or materialmen's liens or the
28 priority of liens for other assessments made by the association.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	47-258(b)

INS *Joint Favorable*