



General Assembly

Substitute Bill No. 6988

January Session, 2015



**AN ACT CONCERNING TERMINATION AND DISSOLUTION OF A
MASTER ASSOCIATION AND LIABILITY OF A UNIT OWNER WHOSE
NEGLIGENCE CAUSES PROPERTY DAMAGE TO A UNIT.**

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

1 Section 1. Section 47-239a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 In the case of a master association: (1) That is comprised of common
4 interest communities consisting of not less than four hundred units but
5 not more than six hundred units, (2) in which the master association is
6 governed by a board of directors consisting of one individual
7 representing each constituent common interest community, who is on
8 the board of directors of the constituent common interest community,
9 and (3) in which the master association board of directors has a
10 weighted vote based on the number of units in the constituent
11 common interest community represented by the director:

12 (A) On the written consent of unit owners owning not less than
13 twenty-five per cent of the units in the constituent common interest
14 communities of such master association, the master association shall be
15 terminated and dissolved and shall convey all assets owned by the
16 master association to a new nonstock corporation that shall be formed
17 not later than sixty days after the termination and dissolution of the
18 master association.

19 (B) The associations of unit owners of the constituent common
20 interest communities shall be the members of the new nonstock
21 corporation. Each of the member associations shall appoint one person
22 to be a member of the board of directors of the new nonstock
23 corporation. Each member of the board of directors of the new
24 nonstock corporation shall have one equal vote on matters to be voted
25 on by the board of directors.

26 (C) The unit owners of each constituent common interest
27 community shall have equal rights to utilize the facilities owned by the
28 new nonstock corporation and each constituent common interest
29 community shall share in the cost of the operation, maintenance, repair
30 and replacement of the facilities of the new nonstock corporation on
31 the basis of the number of units in each constituent common interest
32 community as a percentage of the total number of units in all
33 constituent common interest communities that comprise the master
34 association.

35 (D) The Superior Court shall have jurisdiction to enter such orders
36 as may be appropriate in the circumstances to implement the
37 termination and transfer and the organization and operation of the
38 new nonstock corporation.

39 Sec. 2. Subsection (a) of section 47-253 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective*
41 *October 1, 2015*):

42 (a) A unit owner is not liable, solely by reason of being a unit owner,
43 for injury or damage arising out of the condition or use of the common
44 elements. A unit owner whose negligence causes property damage to a
45 unit is personally liable for the property damage caused to such unit.
46 Neither the association nor any unit owner except the declarant is
47 liable for that declarant's torts in connection with any part of the
48 common interest community which that declarant has the
49 responsibility to maintain.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	47-239a
Sec. 2	<i>October 1, 2015</i>	47-253(a)

JUD *Joint Favorable Subst.*