



General Assembly

January Session, 2023

Raised Bill No. 6769

LCO No. 4822



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING REAL ESTATE LICENSING AND ENFORCEMENT.

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

1 Section 1. Section 20-311 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective April 1, 2024*):

3 As used in this chapter and sections 2 to 7, inclusive, of this act, unless
4 the context otherwise requires:

5 (1) "Advertising" (A) means disseminating, publishing or causing to
6 be posted by way of any (i) print media, including, but not limited to,
7 outdoor signage and periodicals, (ii) audio or video broadcast,
8 streaming or other electronic dissemination, or (iii) written or
9 photographic material disseminated or posted via online, telephonic
10 notification, electronic mail or other electronic means, and (B) does not
11 include any (i) stockholder communication, including, but not limited
12 to, any annual report, interim financial report, proxy material,
13 registration statement, securities prospectus or application for listing a
14 security on a stock exchange, (ii) prospectus, property report, offering

15 statement or other document that any federal agency or agency of
16 another state requires be delivered to a prospective purchaser, (iii)
17 communication addressed to, and relating to the account of, a person
18 who has executed a contract for the purchase of a subdivider's lands,
19 except if such communication concerns the sale of additional lands, or
20 (iv) press release or other communication delivered to a media outlet for
21 general information or public relations purposes, provided no charge is
22 imposed by such media outlet for publication or use of any part of such
23 communication;

24 (2) "Affiliated" means to have a working relationship with a real
25 estate licensee by way of an (A) employer-employee relationship, or (B)
26 independent contractor relationship;

27 (3) "Associate broker" means a real estate broker who (A) is affiliated
28 with a supervising licensee as an independent contractor or employed
29 by a supervising licensee, and (B) has the authority to engage in the real
30 estate business on behalf of such supervising licensee;

31 (4) "Business entity" means any association, corporation, limited
32 liability company, limited liability partnership or partnership;

33 [(1)] (5) "Commercial real estate transaction" means any transaction
34 involving the sale, exchange, lease or sublease of real property other
35 than (A) real property containing any building or structure occupied, or
36 intended to be occupied, by not more than four families, or (B) a single
37 building lot to be used for family or household purposes;

38 [(2)] (6) "Commission" means the Connecticut Real Estate
39 Commission appointed under the provisions of section 20-311a;

40 (7) "Confidential information" means any fact concerning a person's
41 assets, expenses, income, liabilities, motivations to purchase, rent or sell
42 real property and previous offers received or made to purchase or lease
43 real property which (A) a client has not authorized for release, or (B) is
44 not (i) a matter of general knowledge, (ii) part of a public record or file
45 to which access is authorized pursuant to section 1-210, or (iii) otherwise

46 subject to disclosure under any other provision of the general statutes
47 or regulations of Connecticut state agencies;

48 (8) "Custodial broker" means any individual who is (A) licensed as a
49 real estate broker, and (B) temporarily appointed solely to (i) conclude
50 the real estate business matters of another broker who is deceased or
51 incapacitated, (ii) transition such matters to a real estate broker who is
52 alive and not incapacitated, or (iii) assist in transitioning the deceased
53 or incapacitated broker's ownership interest in a business entity that is
54 engaged in the real estate business for the purpose of satisfying the
55 requirements established in section 20-312, as amended by this act;

56 (9) "Department" means the Department of Consumer Protection;

57 ~~[(3)]~~ (10) "Designated agency" means the appointment by a real estate
58 broker of one or more brokers or salespersons affiliated with or
59 employed by the real estate broker to solely represent a buyer or tenant
60 as a designated buyer's agent and appoint another to represent a seller
61 or landlord as a designated seller's agent in a transaction;

62 (11) "Designated broker" means the individual real estate broker
63 whom a real estate broker business entity names as the individual real
64 estate broker who is responsible for the supervision and overall
65 operation of such business entity's engagement in the real estate
66 business in this state;

67 ~~[(4)]~~ (12) "Designated buyer agent" means a [broker or salesperson]
68 real estate licensee, other than a leasing agent, who is designated by the
69 real estate broker by whom such real estate licensee is employed, or with
70 whom [the broker or salesperson] such real estate licensee is affiliated,
71 [or employed to] solely to represent a named buyer or tenant client of
72 the real estate broker during the term of a buyer representation
73 agreement or authorization;

74 ~~[(5)]~~ (13) "Designated seller agent" means a [broker or salesperson]
75 real estate licensee, other than a leasing agent, who is designated by the
76 real estate broker by whom such real estate licensee is employed, or with

77 whom [the broker or salesperson] such real estate licensee is affiliated,
78 [or employed to] solely to represent a named seller or landlord client of
79 the real estate broker during the term of a listing agreement or
80 authorization;

81 (14) "Development owner" means (A) the owner of record of a
82 multiunit development that is offered for lease, or (B) the parent
83 company of such owner of record if such parent company holds a one
84 hundred per cent ownership interest in such owner of record;

85 [(6) "Engaging in the real estate business"] (15) "Engage in the real
86 estate business" means to, while acting for another and for a fee,
87 commission or other valuable consideration, [in the listing for sale,
88 selling, exchanging, buying or renting, or offering or attempting to
89 negotiate a sale, exchange, purchase or rental of] negotiate for or offer,
90 or attempt to list for sale, sell, exchange, buy or rent, an estate or interest
91 in real estate or [a resale of] to resell a mobile manufactured home, as
92 defined in [subdivision (1) of section 21-64, or collecting upon a loan
93 secured or to be secured by a mortgage or other encumbrance upon or
94 transfer of real estate] section 21-64;

95 (16) "Incapacity" means any physical or mental incapacity which
96 prevents an individual from substantially satisfying such individual's
97 duties and responsibilities as a real estate licensee;

98 (17) "Influence residential real estate appraisals" includes, but is not
99 limited to, a refusal or intentional failure to refer a homebuyer, or
100 encouraging other real estate licensees not to refer a homebuyer, to a
101 mortgage broker or lender, as such terms are defined in section 36a-760,
102 based solely on the fact that the mortgage broker or lender uses an
103 appraiser who has provided an appraisal reflecting a fair market value
104 estimate that was less than the sale contract price;

105 (18) "Leasing agent" means any individual who (A) acts as an agent
106 for a principal for a commission, fee or other valuable consideration, and
107 (B) engages in leasing or renting activity, including, but not limited to,
108 (i) collecting security deposits, (ii) offering or attempting to negotiate a

109 rental, or (iii) collecting, offering or attempting to collect rent for the use
110 of real estate;

111 (19) "Multiunit development" means any residential property with at
112 least fifty units that are leased or available to be leased;

113 (20) "Negotiate" means acting, directly or indirectly, as an
114 intermediary by facilitating, or participating in, communications
115 between parties related to the parties' interests in a real estate or mobile
116 manufactured home transaction;

117 (21) "Nonmaterial fact concerning real property" means any fact, set
118 of facts or circumstances surrounding real property which includes, but
119 is not limited to, the fact that (A) an occupant of real property is or has
120 been infected with a disease on the list of reportable diseases, emergency
121 illnesses and health conditions issued by the Commissioner of Public
122 Health pursuant to section 19a-2a, or (B) the real property was at any
123 time suspected to have been the site of a death or felony;

124 [(7)] (22) "Person" means any individual [, partnership, association,
125 limited liability company or corporation] or business entity;

126 (23) "Promotional note" (A) means any promissory note that (i) is
127 secured by a trust deed executed (I) on unimproved real property, (II)
128 after construction of an improvement of real property but before the first
129 sale of such property so improved, or (III) as a means of financing the
130 first purchase of such property so improved, and (ii) is subordinate, or
131 which by its terms may become subordinate, to any other trust deed on
132 such property, and (B) does not include any note which was executed
133 more than three years prior to being offered for sale or was secured by
134 a first trust deed on real property in a subdivision, which evidences a
135 bona fide loan made in connection with the financing of the usual costs
136 of the development of one or more residential, commercial or industrial
137 buildings on the property under a written agreement providing for
138 either the disbursement of the loan funds as costs are incurred or in
139 relation to the progress of the work and providing for title insurance
140 insuring the priority of the security as against mechanic's liens or for the

141 final disbursement of at least ten per cent of the loan funds after the
142 expiration of the period for the filing of mechanic's liens;

143 (24) "Prospective party" means any person that communicates with a
144 real estate licensee in contemplation of potential representation by the
145 real estate licensee in a real estate transaction;

146 [(8)] (25) "Real estate broker" or "broker" means (A) any person [,
147 partnership, association, limited liability company or corporation which
148 acts for another person or entity and for a fee, commission or other
149 valuable consideration, lists for sale, sells, exchanges, buys or rents, or
150 offers or attempts to negotiate a sale, exchange, purchase or rental of, an
151 estate or interest in real estate, or a resale of a mobile manufactured
152 home, as defined in subdivision (1) of section 21-64, or collects or offers
153 or attempts to collect rent for the use of real estate] engaged in the real
154 estate business, and (B) any person [, partnership, association, limited
155 liability company or corporation] employed by or on behalf of the owner
156 or owners of lots or other parcels of real estate, at a stated salary, upon
157 commission, upon a salary and commission basis or otherwise to sell
158 such real estate, or any parts thereof, in lots or other parcels, and who
159 sells or exchanges, or offers, attempts or agrees to negotiate the sale or
160 exchange of, any such lot or parcel of real estate;

161 (26) "Real estate licensee" means any leasing agent, real estate broker
162 or real estate salesperson licensed pursuant to this chapter;

163 [(9)] (27) "Real estate salesperson" or "salesperson" means [a person]
164 any individual, other than an employee whose principal duty is to
165 perform clerical, janitorial or custodial work, who is affiliated with [any
166 real estate broker as an independent contractor or employed by a real
167 estate broker to list for sale, sell or offer for sale, to buy or offer to buy
168 or to negotiate the purchase or sale or exchange of real estate, or to offer
169 for resale, a mobile manufactured home, as defined in subdivision (1) of
170 section 21-64, or to lease or rent or offer to lease, rent or place for rent
171 any real estate, or to collect or offer or attempt to collect rent for the use
172 of real estate] a supervising licensee to (A) engage in the real estate

173 business for or on behalf of such [real estate broker, or who offers, sells
174 or attempts to sell the real estate or mobile manufactured homes of a
175 licensed broker] supervising licensee, or (B) if such individual is acting
176 for another person as a designated seller agent or designated buyer
177 agent, [lists for sale, sells, exchanges, buys or rents, or offers or attempts
178 to negotiate a sale, exchange, purchase or rental of, an estate or interest
179 in real estate, or a resale of a mobile manufactured home, as defined in
180 subsection (a) of section 21-64, or collects or offers or attempts to collect
181 rent for the use of real estate, but does not include employees of any real
182 estate broker whose principal occupation is clerical work in an office, or
183 janitors or custodians engaged principally in that occupation] engage in
184 the real estate business;

185 (28) "Real estate transaction" means any transaction in which (A) real
186 property is legally transferred to another person, or (B) a lease
187 agreement is executed between a landlord and a tenant;

188 (29) "Residential real property" means any one to four-family
189 residential real estate located in this state, including, but not limited to,
190 (A) a cooperative or condominium where the total number of units in
191 such cooperative or condominium does not exceed four units, and (B)
192 any individual unit within a multiunit development;

193 (30) "School" means any person that offers prelicensing or continuing
194 education courses approved pursuant to this chapter and sections 3 and
195 4 of this act;

196 (31) "Supervising licensee" means the real estate broker that is
197 responsible for controlling and supervising another real estate licensee
198 or a team;

199 [(10)] (32) "Team" means [a group] any combination of at least two
200 licensed real estate brokers, designated brokers or real estate
201 salespersons who are affiliated with the same [sponsoring real estate
202 broker] supervising licensee and engage in advertising as a group using
203 a team name; and

204 [(11)] (33) "Team name" means the name used to refer to a team in
205 team advertisements.

206 Sec. 2. (NEW) (*Effective April 1, 2024*) (a) No associate broker shall
207 engage in the real estate business unless the supervising licensee that is
208 responsible for controlling and supervising the associate broker (1)
209 knows that such associate broker is engaging in the real estate business,
210 and (2) has consented to such associate broker engaging in the real estate
211 business.

212 (b) Each supervising licensee shall be responsible for the actions of
213 the associate brokers who are under such supervising licensee's control
214 and supervision to the same extent that such supervising licensee would
215 be responsible for such associate brokers if such associate brokers were
216 real estate salespersons affiliated with such supervising licensee.

217 (c) If an associate broker's affiliation with a supervising licensee is
218 terminated, the associate broker shall notify the department of such
219 termination not later than fourteen calendar days after such termination
220 or such associate broker's affiliation with another supervising licensee,
221 whichever occurs first.

222 (d) Each associate broker shall comply with all advertising
223 requirements and standards that apply to real estate brokers, and shall
224 include the name of the supervising licensee who controls and
225 supervises such associate broker at a prominent location in all of such
226 associate broker's advertisements.

227 Sec. 3. (NEW) (*Effective April 1, 2024*) (a) (1) A school shall register
228 with the department, in a form and manner prescribed by the
229 Commissioner of Consumer Protection, prior to offering any
230 prelicensing or continuing education course. Such form shall include an
231 attestation by the school that:

232 (A) All courses offered by such school comply with the requirements
233 established in section 4 of this act; and

234 (B) All instructors teaching courses at such school are qualified
235 pursuant to subsection (c) of this section and section 4 of this act.

236 (2) No school shall offer any prelicensing or continuing education
237 course in this state unless such school maintains an active registration
238 with the department under this section.

239 (b) Each school registration issued pursuant to this section shall
240 expire biennially, and the initial registration fee and renewal fee for each
241 such school registration shall be one hundred dollars.

242 (c) No school shall permit an instructor to teach a course approved
243 under chapter 392 of the general statutes unless such school has
244 determined that the instructor has:

245 (1) At least five years of experience as a practicing real estate licensee;

246 (2) Expertise, or a professional designation from an institute or
247 society, in the field in which such instructor proposes to teach; or

248 (3) Experience teaching a course in a formal education program or
249 has attended an accredited college or university extension instructors'
250 seminar. For collegiate level courses that are part of a degree program,
251 the instructor shall have (A) teaching experience and a master's degree
252 in an appropriate field, or (B) such other combination of qualifications
253 as the commission may, in the commission's discretion, approve.

254 (d) No school shall offer any course that does not satisfy the
255 requirements established in section 4 of this act.

256 Sec. 4. (NEW) (*Effective April 1, 2024*) (a) Each school that is registered
257 with the department pursuant to section 3 of this act shall register with
258 the department, in a form and manner prescribed by the Commissioner
259 of Consumer Protection, each prelicensing or continuing education
260 course that such school intends to offer in this state. The fee to register
261 each course under this section shall be fifty dollars, and each course
262 registration application submitted to the department pursuant to this
263 section shall include:

264 (1) An outline of the course content detailing the total duration of
265 such course and the amount of time spent on each subject covered as
266 part of such course;

267 (2) The name of, and contact information for, each course instructor;

268 (3) A copy of the certificate issued to students upon completion of
269 such course;

270 (4) The cancellation and refund policy available to students for such
271 course;

272 (5) An attestation by the school that such course meets all the
273 requirements established in this section, section 20-314a of the general
274 statutes, as amended by this act, and all regulations adopted pursuant
275 to chapter 392 of the general statutes; and

276 (6) If such course is provided on an in-person basis, the location at
277 which such course is provided on an in-person basis.

278 (b) Notwithstanding subdivision (3) of subsection (a) of this section,
279 a school that offers more than one course may submit to the department
280 a template course completion certificate for the department's
281 consideration. If the department approves a template course completion
282 certificate, the school that submitted such certificate to the department
283 may use such template to issue all course completion certificates and not
284 be required to submit a copy of such certificates to the department
285 pursuant to subdivision (3) of subsection (a) of this section.

286 (c) No prelicensing or continuing education course shall qualify
287 towards the prelicensing or continuing education requirements
288 established for a real estate license under chapter 392 of the general
289 statutes unless such course has been approved by the department
290 pursuant to this section.

291 (d) The department shall not approve any prelicensing course under
292 this section unless such course is provided on an in-person basis or by
293 way of electronic means that incorporates a live online format.

294 (e) (1) Subject to the provisions of subdivision (2) of this subsection,
295 each school that offers a continuing education course under this section
296 shall ensure that no student may complete such course in less time than
297 the total course duration specified in the application that such school
298 filed with the department for such course pursuant to subsection (a) of
299 this section.

300 (2) If a school offers a course described in subdivision (1) of this
301 subsection by electronic means, the school may satisfy the requirements
302 established in subdivision (1) of this subsection by:

303 (A) Offering a live online course format using telecommunications
304 technology that allows for real-time audio communication between the
305 instructor and students; or

306 (B) Using technology that prohibits a student from completing the
307 course in less time than the total course duration specified in the
308 application that such school filed with the department for such course
309 pursuant to subsection (a) of this section.

310 (f) If a school offers any prelicensing or continuing education course
311 under this section by electronic means that do not allow for real-time
312 audio communication between the instructor and students, such school
313 shall include in such course periodic interactive assessments to confirm
314 each student's level of comprehension of, and engagement with, such
315 course.

316 (g) Each course registration issued pursuant to this section shall
317 expire five years after such registration is issued.

318 Sec. 5. (NEW) (*Effective April 1, 2024*) (a) If a real estate licensee
319 engages in the real estate business and a buyer or renter of real estate
320 uses an interpreter, other than the real estate licensee or an employee of
321 the real estate licensee, in conducting a real estate transaction or
322 negotiations, the real estate licensee shall provide to the buyer or renter
323 and interpreter, and obtain the buyer's or renter's and interpreter's
324 signatures on, forms containing the following language:

325 I, (name of buyer or renter), used (name of interpreter) to act as my
326 interpreter during this real estate transaction or these negotiations. The
327 obligations of this contract or other written agreement were explained
328 to me in my native language by the interpreter. I understand the
329 contract or other written agreement.

330 (signature of buyer or renter)

331 (relationship of interpreter to buyer or renter)

332 I, (name of interpreter), acted as interpreter during this real estate
333 transaction or these negotiations. The obligations of the contract or other
334 written agreement were explained to (name of buyer or renter) in their
335 native language. I understand the contract or other written agreement.

336 (signature of interpreter)

337 (relationship of interpreter to buyer or renter).

338 (b) Except as provided in subsection (c) of this section, if a real estate
339 licensee engages in the real estate business and acts as an interpreter for
340 a buyer or renter in conducting a transaction or negotiations, the real
341 estate licensee shall provide to the buyer or renter, and obtain the
342 buyer's or renter's signature on, a form containing the following
343 language written in the buyer's or renter's native language:

344 This real estate transaction or these negotiations were conducted in
345 (buyer's or renter's native language), which is my native language. I
346 voluntarily choose to have the Real Estate (Broker/Salesperson/Leasing
347 Agent) act as my interpreter during the negotiations. The obligations of
348 the contract or other written agreement were explained to me in my
349 native language. I understand the contract or other written agreement.

350 (c) If a language that cannot be reduced to writing is used to conduct
351 a real estate transaction or negotiations, the form required under
352 subsection (b) of this section shall be in the English language.

353 Sec. 6. (NEW) (*Effective April 1, 2024*) (a) If a real estate broker dies or

354 is incapacitated, the executor of such broker's estate or any other person
355 who is legally authorized to act on behalf of such broker in a financial
356 transaction may apply to the department, in a form and manner
357 prescribed by the department, for the appointment of a custodial broker.
358 If the department approves an application for the appointment of a
359 custodial broker, the department shall appoint a custodial broker for the
360 deceased or incapacitated broker. Except as provided in subsection (b)
361 of this section, each custodial broker who is appointed pursuant to this
362 subsection shall serve for a term not to exceed one hundred eighty days.

363 (b) The department may, in the department's discretion, extend a
364 custodial broker's term beyond one hundred eighty days if the
365 department receives a hardship application that is submitted to the
366 department in a form and manner prescribed by the department.

367 (c) Each custodial broker shall act to preserve the financial interests
368 of the deceased or incapacitated real estate broker, or the estate of the
369 deceased real estate broker, for whom such custodial broker is
370 appointed.

371 (d) No real estate broker who is appointed as a custodial broker to
372 conclude the business of a deceased or incapacitated individual real
373 estate broker shall negotiate the purchase, sale or lease of any real estate
374 on behalf of such deceased or incapacitated broker unless:

375 (1) The prospective purchaser, seller, lessor or lessee of such real
376 estate entered into a preexisting buyer agreement, listing agreement or
377 leasing agreement with such deceased or incapacitated broker; and

378 (2) The prospective purchaser or lessor of such real estate has
379 executed a contract or paid a deposit to a seller or lessee to reserve a
380 right to purchase or lease such real estate from such seller or lessee.

381 (e) No business entity shall engage in the real estate business while
382 the designated broker for such business entity is deceased or
383 incapacitated unless a custodial broker has been appointed for such
384 business entity.

385 (f) If a custodial broker is appointed to serve as a designated broker
386 for a business entity, the business entity may engage in the real estate
387 business to the same extent that such business entity would engage in
388 such business if such designated broker was not a custodial broker.

389 (g) No real estate salesperson or team member shall engage in the real
390 estate business while the supervising licensee that is responsible for
391 controlling and supervising such salesperson or team is deceased or
392 incapacitated unless a custodial broker has been appointed for such
393 supervising licensee.

394 Sec. 7. (NEW) (*Effective April 1, 2024*) (a) No leasing agent shall engage
395 in the real estate business except for leasing or renting real property that
396 is exclusively used for residential occupancy. No licensed real estate
397 broker or salesperson shall be required to obtain a leasing agent license
398 to perform leasing activities. Leasing agents shall not engage in any
399 activity that requires a real estate broker or real estate salesperson's
400 license, including, but not limited to, selling, offering, listing,
401 negotiating, referring or showing for sale, entering into lease-to-own
402 agreements or leasing commercial real estate. A leasing agent shall be
403 employed by a development owner. A leasing agent shall not offer
404 leasing services for any person that is not a development owner. No
405 leasing agent shall engage in the real estate business concerning any
406 property other than on behalf of the owner of record of a multiunit
407 development that employs such leasing agent. A leasing agent shall
408 obtain a written contract from the development owner to demonstrate
409 such employment prior to engaging in any leasing activity at such
410 development. Such contract shall be made available to the department,
411 and produced by the leasing agent in an electronic form, upon a request
412 by the department for such contract.

413 (b) If a leasing agent's affiliation with a development owner is
414 terminated, the leasing agent shall notify the department of such
415 termination not later than fourteen calendar days after such termination
416 or such leasing agent's affiliation with another development owner,
417 whichever occurs first.

418 Sec. 8. Section 20-311b of the general statutes is repealed and the
419 following is substituted in lieu thereof (*Effective April 1, 2024*):

420 (a) Within thirty days after the appointment of the members of the
421 commission, the commission shall meet in the city of Hartford for the
422 purpose of organizing by selecting such officers other than a
423 chairperson as the commission may deem necessary and appropriate. A
424 majority of the members of the commission shall constitute a quorum
425 for the exercise of the powers or authority conferred upon it.

426 (b) [(1)] The commission shall authorize the [Department of
427 Consumer Protection] department to issue licenses to real estate
428 [brokers and real estate salespersons] licensees.

429 [(2)] (c) The commission shall administer the provisions of this
430 chapter as to licensure and issuance, renewal, suspension or revocation
431 of licenses concerning the real estate business.

432 [(c)] (d) The commission shall be provided with the necessary office
433 space in Hartford by the Commissioner of Administrative Services. The
434 place of business of the commission and all files, records and property
435 of the commission shall at all times be and remain at such office, except
436 that inactive files shall be stored at a location designated by the
437 commission.

438 [(d)] (e) The commission shall hold meetings and hearings in
439 Hartford, in space provided by the Commissioner of Administrative
440 Services, or at such places outside of Hartford as shall be determined by
441 the chairman of the commission. The commission shall meet at least
442 once in each three-month period and may meet more often at the call of
443 its chairman. The chairman of the commission shall call a meeting of the
444 commission whenever requested to do so by a majority of the members
445 of the commission.

446 [(e)] (f) The commission shall vote on all matters requiring a decision
447 and votes shall be recorded in the commission's minutes.

448 Sec. 9. Section 20-312 of the general statutes is repealed and the
449 following is substituted in lieu thereof (*Effective April 1, 2024*):

450 (a) No person shall act as a real estate [broker or real estate
451 salesperson] licensee without a license issued by the commission or the
452 Commissioner of Consumer Protection, unless exempt under this
453 chapter. The [Commissioner of Consumer Protection] commissioner
454 may enter into any contract for the purpose of administratively
455 processing the renewal of licenses on behalf of the commission.

456 (b) The practice of engaging in the real estate business, or the offer to
457 [practice real estate brokerage] engage in the real estate business in this
458 state by [individual licensed real estate brokers or real estate
459 salespersons as a corporation, limited liability company, partnership or
460 limited liability partnership, a] real estate licensees, as a business entity
461 is permitted, provided:

462 (1) A material part of the business entity's business [of which]
463 includes engaging in the real estate [brokerage, is permitted, provided
464 (1) the] business;

465 (2) The business entity's personnel [of such corporation, limited
466 liability company, partnership or limited liability partnership] who
467 engage in the real estate [brokerage] business [as real estate brokers or
468 real estate salespersons, and the real estate brokers whose ownership,
469 control, membership or partnership interest is credited toward the
470 requirements of subdivision (3) of this subsection, are licensed or
471 exempt from licensure under this chapter, (2) the corporation, limited
472 liability company, partnership or limited liability partnership] are
473 licensed, or exempt from licensure, under this chapter;

474 (3) The business entity has been issued a real estate broker license [by
475 the commission as provided] as set forth in this section; [and]

476 (4) The business entity has paid the license or renewal fee required
477 for a real estate broker's license as set forth in section 20-314, as amended
478 by this act; [and (3) except for] and

479 (5) The business entity is a publicly traded corporation or, if the
480 business entity is not a publicly traded corporation:

481 (A) [with respect to a corporation other than a nonstock corporation,]
482 The business entity is a stock corporation and one or more real estate
483 brokers, who are either licensed or exempt from licensure under this
484 chapter, own or control fifty-one per cent or more of the total issued
485 shares of the corporation; [.]

486 (B) [with respect to] The business entity is a nonstock corporation [.]
487 and one or more real estate brokers, who are licensed or exempt from
488 licensure under this chapter, constitute at least fifty-one per cent of the
489 members of the nonstock corporation; [.]

490 (C) [with respect to] The business entity is a limited liability company
491 [.] and one or more real estate brokers, who are licensed or exempt from
492 licensure under this chapter, own or control at least fifty-one per cent of
493 the interest in the limited liability company, as defined in section 34-
494 243a; [.] or

495 (D) [with respect to] The business entity is a partnership or limited
496 liability partnership [, one or more real estate brokers'] and the
497 partnership interest, as defined in section 34-301, of one or more real
498 estate brokers, who are licensed or exempt from licensure under this
499 chapter, constitutes at least fifty-one per cent of the total partnership
500 interest. [No such corporation, limited liability company, partnership or
501 limited liability partnership shall be relieved of responsibility for the
502 conduct or acts of its agents, employees or officers by reason of its
503 compliance with this section, nor shall any individual practicing real
504 estate brokerage be relieved of responsibility for real estate services
505 performed by reason of the individual's employment or relationship
506 with such corporation, limited liability company, partnership or limited
507 liability partnership. The Real Estate Commission may refuse to
508 authorize the issuance or renewal of a license if any facts exist that
509 would entitle the commission to suspend or revoke an existing license.]

510 (c) A [corporation, limited liability company, partnership or limited

511 liability partnership] business entity desiring a real estate broker license
512 shall file with the commission or the [commissioner] Commissioner of
513 Consumer Protection an application on such forms and in such manner
514 as prescribed by the [Department of Consumer Protection] department.
515 Each such [corporation, limited liability company, partnership or
516 limited liability partnership] business entity shall file with the
517 commission, [a designation of at least one individual licensed or
518 qualified to be licensed as a real estate broker in this state who shall be
519 in charge of the real estate brokerage business of such corporation,
520 limited liability company, partnership or limited liability partnership in
521 this state] in a form and manner prescribed by the department, the
522 identity of, and contact information for, at least one designated broker.
523 Such [corporation, limited liability company, partnership or limited
524 liability partnership] business entity shall notify the commission of any
525 change in [such designation] the identity of, or contact information for,
526 such designated broker not later than thirty days after such change
527 becomes effective.

528 (d) The Real Estate Commission may impose a fine of not more than
529 [one] five thousand dollars per violation on any [corporation, limited
530 liability company, partnership or limited liability partnership] person
531 that engages in the real estate business, including, but not limited to,
532 leasing or rental activity, without a license required by this section. Any
533 such imposition of a fine by the commission shall be a proposed final
534 decision and submitted to the [commissioner] Commissioner of
535 Consumer Protection in accordance with the provisions of subsection
536 (b) of section 21a-7.

537 (e) [(1) (A) Except as provided in subdivision (2) of this subsection,
538 each] Each team shall register, on a form and in a manner prescribed by
539 the [commissioner] Commissioner of Consumer Protection, with the
540 [Department of Consumer Protection] department. Each initial
541 registration shall be valid for a period of one year and be subject to
542 renewal for additional one-year periods. Each team shall pay to the
543 department an initial registration fee of five hundred sixty-five dollars
544 when the team files its initial registration, and a registration renewal fee

545 of three hundred seventy-five dollars when the team files each
546 registration renewal, pursuant to this subparagraph. Each team shall
547 include in each registration form that the team files with the department
548 pursuant to this [subparagraph] subsection:

549 [(i) The] (1) Such team's team name, which shall:

550 [(I)] (A) Include the full name of at least one licensed real estate
551 broker or real estate salesperson who is part of [the] such team or be
552 immediately followed by "at/of [full name of the [sponsoring real estate
553 broker] team's supervising licensee";

554 [(II)] (B) Not include the name of any individual who is not a licensed
555 real estate broker or real estate salesperson; and

556 [(III)] (C) With the exception of "team", not include any abbreviation,
557 term or phrase, including, but not limited to, "associates", "company",
558 "corporation", "group", "LLC", "real estate" or "realty", that implies that
559 [the] such team is a business entity;

560 [(ii) (2) The name of, and contact information for, [the] such team's
561 [sponsoring real estate broker] supervising licensee, who shall serve as
562 [the] such team's primary contact, ensure that [the] such team complies
563 with all applicable laws and regulations concerning team
564 advertisements and ensure that [the] such team timely files accurate
565 registration forms and registration updates with the department
566 pursuant to this [subdivision] subsection; and

567 [(iii) (3) The name and contact information for each real estate broker
568 or real estate salesperson who is part of [the] such team.

569 [(B)] (f) A team shall send notice to the department disclosing any
570 change to the information contained in the team's registration form. The
571 team shall send such notice to the department, on a form and in a
572 manner prescribed by the [commissioner] Commissioner of Consumer
573 Protection, not later than twelve days after the date of such change. A
574 team may transfer the team's registration from one supervising licensee

575 to another supervising licensee, without applying for a new team
576 registration, if (1) all members of such team transfer to such other
577 supervising licensee, and (2) both supervising licensees agree to such
578 transfer.

579 [(C)] (g) Each team shall comply with all advertising requirements
580 and standards that apply to real estate brokers, and shall include the
581 name of [the] such team's [sponsoring real estate broker] supervising
582 licensee at a prominent location in all of [the] such team's
583 advertisements.

584 [(2) The commissioner may, in the commissioner's discretion, engage
585 the services of such third parties that the commissioner deems necessary
586 to assist the commissioner in implementing the provisions of
587 subdivision (1) of this subsection, provided no expenditure of state
588 funds shall be made to cover the cost of hiring a consultant to make
589 programmatic changes to the licensing system.]

590 Sec. 10. Section 20-312b of the general statutes is repealed and the
591 following is substituted in lieu thereof (*Effective April 1, 2024*):

592 A [licensed] real estate [broker or real estate salesperson] licensee
593 shall not be considered an employee under the provisions of section 31-
594 275 if substantially all of the remuneration for the services performed by
595 such [broker or salesperson] real estate licensee, whether paid in cash or
596 otherwise, is directly related to sales or other output rather than to the
597 number of hours worked, and such services are performed by the
598 [broker or salesperson] real estate licensee pursuant to a written contract
599 that contains the following provisions:

600 (1) The [broker or salesperson] real estate licensee, for purposes of
601 workers' compensation, is engaged as an independent contractor
602 associated with the person for whom services are performed;

603 (2) The [broker or salesperson] real estate licensee shall be paid a
604 commission based on [his] such real estate licensee's gross sales or
605 leases, if any, without deduction for taxes, which commission shall be

606 directly related to sales, leases or other output;

607 (3) The [broker or salesperson] real estate licensee shall not receive
608 any remuneration related to the number of hours worked and shall not
609 be treated as an employee with respect to such services for purposes of
610 workers' compensation;

611 (4) The [broker or salesperson] real estate licensee shall be permitted
612 to work any hours [he] such real estate licensee chooses;

613 (5) The [broker or salesperson] real estate licensee shall be permitted
614 to work out of [his] such real estate licensee's own home or the office of
615 the person for whom services are performed;

616 (6) The [broker or salesperson] real estate licensee shall be free to
617 engage in outside employment;

618 (7) The person for whom the services are performed may provide
619 office facilities and supplies for the use of the [broker or salesperson]
620 real estate licensee, but [the broker or salesperson] such real estate
621 licensee shall otherwise pay [his] such real estate licensee's own
622 expenses, including, but not limited to, automobile, travel and
623 entertainment expenses; and

624 (8) The contract may be terminated by either party to such contract at
625 any time upon notice given to the other party to such contract.

626 Sec. 11. Section 20-314 of the general statutes is repealed and the
627 following is substituted in lieu thereof (*Effective April 1, 2024*):

628 (a) Licenses shall be granted under this chapter only to persons who
629 bear a good reputation for honesty, truthfulness and fair dealing and
630 who are competent to transact the business of a leasing agent, real estate
631 broker or real estate salesperson in such manner as to safeguard the
632 interests of the public.

633 (b) Each application for a license or for a renewal thereof shall be
634 made in writing, on such forms and in such manner as is prescribed by

635 the [Department of Consumer Protection and accompanied by such
636 evidence in support of such application as is prescribed by the
637 commission. The commission may require such information with regard
638 to an applicant as the commission deems desirable, with due regard
639 to the paramount interests of the public, as to the honesty, truthfulness,
640 integrity and competency of the applicant and, where the applicant is a
641 corporation, association or partnership, as to the honesty, truthfulness,
642 integrity and competency of the officers of such corporation or the
643 members of such association or partnership] department.

644 (c) In order to determine the competency of any applicant for a real
645 estate [broker's license or a real estate salesperson's] licensee's license,
646 the commission or Commissioner of Consumer Protection shall, on
647 payment of an application fee of one hundred twenty dollars by an
648 applicant for a real estate broker's license or an application fee of eighty
649 dollars by an applicant for a leasing agent's or real estate salesperson's
650 license, subject such applicant to personal written examination as to the
651 applicant's competency to act as a leasing agent, real estate broker or
652 real estate salesperson, as the case may be. [Such] Each examination
653 shall be prepared by the [Department of Consumer Protection]
654 department or by a national testing service designated by the
655 [Commissioner of Consumer Protection] commissioner and shall be
656 administered to applicants by the [Department of Consumer Protection]
657 department or by such testing service at such times and places as the
658 commissioner may deem necessary. The commission or [Commissioner
659 of Consumer Protection] commissioner may waive the uniform portion
660 of the written examination requirement in the case of an applicant who
661 has taken the national testing service examination in another state
662 within two years from the date of application and has received a score
663 deemed satisfactory by the commission or [Commissioner of Consumer
664 Protection] commissioner. The [Commissioner of Consumer Protection]
665 commissioner shall adopt regulations, in accordance with chapter 54,
666 establishing passing scores for examinations. In addition to such
667 application fee, applicants taking the examination administered by a
668 national testing service shall be required to pay directly to such testing

669 service an examination fee covering the cost of such examination. Each
670 payment of such application fee shall entitle the applicant to take such
671 examination within the one-year period from the date of payment.

672 [(d) (1) (A) Each applicant applying for a real estate broker's license
673 on or after July 1, 2016, but before January 1, 2022, shall, before being
674 admitted to such examination, prove to the satisfaction of the
675 commission or the Commissioner of Consumer Protection that the
676 applicant (i) (I) has been actively engaged for at least two years as a
677 licensed real estate salesperson under the supervision of a licensed real
678 estate broker in this state, (II) has successfully completed a course
679 approved by the commission or commissioner in real estate principles
680 and practices of at least sixty classroom hours of study, (III) has
681 successfully completed a course approved by the commission or
682 commissioner in real estate legal compliance consisting of at least fifteen
683 classroom hours of study, (IV) has successfully completed a course
684 approved by the commission or commissioner in real estate brokerage
685 principles and practices consisting of at least fifteen classroom hours,
686 and (V) has successfully completed two elective courses, each consisting
687 of fifteen classroom hours of study, as prescribed by the commission or
688 commissioner, or (ii) has equivalent experience or education as
689 determined by the commission or commissioner.]

690 [(B)] (d) (1) Each applicant [applying for a real estate broker's license
691 on or after January 1, 2022,] shall, before being admitted to such
692 examination, prove to the satisfaction of the commission or the
693 Commissioner of Consumer Protection that the applicant [(i) (I)] (A) (i)
694 has been actively engaged as a licensed real estate salesperson under the
695 supervision of a [licensed real estate broker in this state] supervising
696 licensee, who is licensed in this state, for a minimum period of three
697 years immediately preceding the date the applicant filed such
698 applicant's application, during which period such salesperson engaged
699 in the real estate business for at least one thousand five hundred hours
700 [during the three years immediately preceding the date on which such
701 applicant filed such applicant's application,] and such supervising
702 [licensed real estate broker] licensee, or such supervising [licensed real

703 estate broker's] licensee's authorized representative, has certified the
 704 accuracy of a record of such applicant's active engagement on a form
 705 provided by such applicant to such supervising [licensed real estate
 706 broker] licensee or authorized representative, [(II)] (ii) has successfully
 707 completed a course approved by the commission or commissioner in
 708 real estate principles and practices of at least sixty classroom hours of
 709 study, [(III)] (iii) has successfully completed a course approved by the
 710 commission or commissioner in real estate legal compliance consisting
 711 of at least fifteen classroom hours of study, [(IV)] (iv) has successfully
 712 completed a course approved by the commission or commissioner in
 713 real estate brokerage principles and practices consisting of at least
 714 fifteen classroom hours, [(V)] (v) has successfully completed two
 715 elective courses, each consisting of fifteen classroom hours of study, as
 716 prescribed by the commission or commissioner, and [(VI)] (vi) has
 717 represented a seller, buyer, lessor or lessee in at least four real estate
 718 transactions that closed during the three years immediately preceding
 719 the date on which such applicant filed such applicant's application, or
 720 [(ii)] (B) has equivalent experience or education as determined by the
 721 commission or commissioner. Each supervising [licensed real estate
 722 broker] licensee, or authorized representative of such supervising
 723 [licensed real estate broker] licensee, shall certify the accuracy or
 724 inaccuracy of a record provided by an applicant to such supervising
 725 [licensed real estate broker] licensee or authorized representative under
 726 subparagraph [(B)(i)(I)] (A)(i) of this subdivision not later than ninety
 727 days after such applicant provides such record to such supervising
 728 [licensed real estate broker] licensee or authorized representative.

729 (2) The commission or the [Commissioner of Consumer Protection]
 730 commissioner shall waive the elective courses under subparagraph
 731 [(A)(i)(V) or (B)(i)(V)] (A)(v) of subdivision (1) of this subsection if the
 732 applicant has successfully completed at least twenty real estate
 733 transactions within five years immediately preceding the date of
 734 application. [As used in this subdivision, "real estate transaction" means
 735 any transaction in which real property is legally transferred to another
 736 party or in which a lease agreement is executed between a landlord and

737 a tenant.]

738 (3) Each applicant for a real estate salesperson's license shall, before
739 being admitted to such examination, prove to the satisfaction of the
740 commission or the [Commissioner of Consumer Protection]
741 commissioner that the applicant (A) has successfully completed a course
742 approved by the commission or commissioner in real estate principles
743 and practices consisting of at least sixty classroom hours of study, or (B)
744 has equivalent experience or education as determined by the
745 commission or commissioner.

746 (4) Each applicant for a leasing agent license shall, before being
747 admitted to such examination, prove to the satisfaction of the
748 commission or the commissioner that the applicant (A) has successfully
749 completed a course or courses approved by the commission or
750 commissioner in real estate leasing, including, but not limited to,
751 training on fair housing law, landlord tenant law and security deposit
752 management, consisting of at least twenty classroom hours of study, or
753 (B) has equivalent experience or education as determined by the
754 commission or commissioner.

755 (e) The provisions of subsections (c) and (d) of this section shall not
756 apply to any renewal of a real estate broker's license, or a real estate
757 salesperson's license issued prior to October 1, 1973.

758 (f) All licenses issued under the provisions of this chapter shall expire
759 [annually] biennially. At the time of application for a real estate broker's
760 license, there shall be paid to the [commission] department, for each
761 individual applicant and for each proposed active member or officer of
762 a [firm, partnership, association or corporation] business entity, the sum
763 of [five hundred sixty-five] one thousand one hundred thirty dollars,
764 and for the [annual] biennial renewal thereof, the sum of [three hundred
765 seventy-five] seven hundred fifty dollars, except that for licenses
766 expiring on March 31, 2022, a prorated renewal fee shall be charged to
767 reflect the fact that the March 2022, renewal shall expire on November
768 30, 2023. At the time of application for a real estate salesperson's or

769 leasing agent's license, there shall be paid to the [commission two
770 hundred eighty-five] department five hundred seventy dollars and for
771 the [annual] biennial renewal thereof the sum of [two hundred eighty-
772 five] five hundred seventy dollars. [Three] Six dollars of each such
773 [annual] biennial renewal fee shall be payable to the Real Estate
774 Guaranty Fund established pursuant to section 20-324a, as amended by
775 this act. A real estate broker's license issued to any [partnership,
776 association or corporation] business entity shall entitle the [individual
777 designated in the application, as provided in section 20-312] designated
778 broker, upon compliance with the terms of this chapter, but without the
779 payment of any further fee, to perform all of the acts of a real estate
780 broker under this chapter on behalf of such [partnership, association or
781 corporation] business entity. Any license which expires and is not
782 renewed [pursuant to this subsection] on or before the ninetieth day
783 following the expiration date of such license may be reinstated by the
784 commission [, if, not later than two years after the date of expiration,] or
785 department, in the commission's or department's discretion, provided
786 such license has expired for less than three years and the former licensee
787 [pays to the commission for] (1) attests that such former licensee did not
788 work in this state in the occupation or profession in which such former
789 licensee was licensed while such former licensee's license was lapsed,
790 (2) pays the renewal fee due for such license for the year in which such
791 license is reinstated, and (3) completes any continuing education
792 required for such license for the year preceding such reinstatement. If
793 an applicant for reinstatement worked in this state in the occupation or
794 profession in which such applicant was formerly licensed while such
795 license was lapsed, the applicant shall pay all license and late fees due
796 and owing for the lapse period and demonstrate that such applicant has
797 completed all continuing education required for such license for the
798 year preceding such reinstatement. Such late fees shall be assessed for
799 each real estate broker's license [the sum] in the amount of three
800 hundred seventy-five dollars and for each real estate salesperson's or
801 leasing agent's license [the sum] in the amount of two hundred eighty-
802 five dollars for each year or fraction thereof from the date of expiration
803 of the previous license to the date of payment for reinstatement. [, except

804 that any] If a license has lapsed for at least three years, the former
805 licensee is ineligible for reinstatement under this subsection and may
806 apply for a new license. Notwithstanding any contrary provision of this
807 subsection, a former licensee whose license expired after such former
808 licensee entered military service shall be reinstated without payment of
809 any fee if an application for reinstatement is filed with the commission
810 [within two years after the date of expiration] or department before the
811 third anniversary of such expiration date, and the former licensee
812 provides evidence that is sufficient to demonstrate to the commission or
813 department that such former licensee completed at least six hours of
814 continuing education for such license, including, but not limited to, the
815 mandatory continuing education required for such license, during the
816 calendar year preceding the date on which such application for
817 reinstatement is filed. Any such reinstated broker's license shall expire
818 on the next succeeding November thirtieth. [, except that any broker's
819 license that is reinstated before March 31, 2022, shall expire on March
820 31, 2022.] Any such reinstated real estate salesperson's license shall
821 expire on the next succeeding May thirty-first.

822 (g) [Any person whose application has been filed as provided in this
823 section and who is refused a license shall be given notice and afforded
824 an opportunity for hearing as provided in the regulations adopted by
825 the Commissioner of Consumer Protection.] Following a denial of a
826 license or license renewal application filed under this section, the
827 department shall send a notice to the applicant who filed such
828 application disclosing such denial and that such applicant may request
829 a hearing by submitting to the Commissioner of Consumer Protection a
830 written hearing request not later than thirty days after the date such
831 denial notice was sent to such applicant. If the applicant requests a
832 hearing during such thirty-day period, the department shall send a
833 notice to such applicant disclosing the grounds for such denial and
834 conduct a hearing concerning such denial in accordance with the
835 provisions of chapter 54. If the commissioner's denial is sustained after
836 such hearing, the applicant may file a new application for such license
837 or license renewal not sooner than one year after the date on which such

838 denial was sustained.

839 Sec. 12. Section 20-314a of the general statutes is repealed and the
840 following is substituted in lieu thereof (*Effective April 1, 2024*):

841 (a) The Commissioner of Consumer Protection, with the advice and
842 assistance of the commission, may adopt regulations, in accordance
843 with chapter 54, relating to the approval of schools offering prelicensing
844 and continuing education courses, [in real estate principles and practice
845 and related subjects,] the content of such courses and the advertising to
846 the public of the services [of] offered by such schools. Such regulations
847 shall not require [(1)] approval of instructors at such schools. [, or (2) a
848 course to be conducted in a classroom location approved for such use
849 by a local fire marshal provided the course is conducted in a hotel,
850 restaurant or other public building or a place of public assembly, as
851 defined in section 19-13-B105 of the regulations of Connecticut state
852 agencies.] No school may be disapproved solely because the school's
853 courses are offered or taught by electronic means, and no course may be
854 disapproved solely because the course is offered or taught by electronic
855 means if such course satisfies the requirements established in section 4
856 of this act.

857 (b) The commission or department may exempt any applicant for a
858 real estate broker's license from the requirements concerning experience
859 under the provisions of subsection (d) of section 20-314, as amended by
860 this act, if the commission or department determines that such applicant
861 is unable to meet such requirements solely because such applicant has
862 been subjected to discrimination based on race, creed or color, which
863 discrimination interfered with such applicant's ability to meet such
864 requirements.

865 Sec. 13. Subsections (b) and (c) of section 20-316 of the general statutes
866 are repealed and the following is substituted in lieu thereof (*Effective*
867 *April 1, 2024*):

868 (b) No license under this chapter shall be issued by the [Department
869 of Consumer Protection] department to any applicant (1) whose

870 application for a license as a real estate [broker or real estate salesperson]
871 licensee has, within one year prior to the date of [his] such applicant's
872 application under this chapter, been rejected in this state, in any other
873 state or in the District of Columbia, or (2) whose license as a real estate
874 [broker or real estate salesperson] licensee has, within one year prior to
875 the date of [his] such applicant's application under this chapter, been
876 revoked in this state, in any other state or in the District of Columbia.

877 (c) No real estate license [as a real estate broker or real estate
878 salesperson] shall be issued under this chapter to any person who [has
879 not attained the age of] is younger than eighteen years of age.

880 Sec. 14. Section 20-317 of the general statutes is repealed and the
881 following is substituted in lieu thereof (*Effective April 1, 2024*):

882 (a) A person licensed in another state [as a real estate broker or
883 salesperson] to engage in the real estate business may become a real
884 estate [broker or real estate salesperson] licensee in this state by
885 conforming to all of the provisions of this chapter. The commission or
886 Commissioner of Consumer Protection shall recognize a current, valid
887 license issued to a currently practicing, competent real estate [broker or
888 real estate salesperson] professional engaging in the real estate business
889 in, and recognized by, another state as satisfactorily qualifying [the
890 broker or salesperson] such real estate professional for a license as a real
891 estate [broker or real estate salesperson] licensee under this chapter,
892 provided (1) the laws of the state in which [the broker or salesperson]
893 such real estate professional is licensed require that applicants for
894 licenses as real estate [brokers and real estate salespersons] licensees
895 establish their competency by written examinations, [and allow licenses
896 to be issued to residents of the state of Connecticut, licensed under this
897 chapter, without examination,] (2) the licensure requirements of such
898 state are substantially similar to or higher than those of this state, and
899 (3) [the broker or salesperson] such real estate professional has no
900 disciplinary proceeding or unresolved complaint pending against [the
901 broker or salesperson] such real estate professional. If [the] an applicant
902 real estate professional is licensed in a state that does not have such

903 requirements, such applicant real estate professional shall be required
904 to pass the Connecticut portion of the real estate examination.

905 (b) [Every applicant licensed in another state shall file an irrevocable
906 consent that suits and actions may be commenced against such
907 applicant in the proper court in any judicial district of the state in which
908 a cause of action may arise or in which the plaintiff may reside, by the
909 service of any process or pleading, authorized by the laws of this state,
910 on the chairperson of the commission, such consent stipulating and
911 agreeing that such service of such process or pleading shall be taken and
912 held in all courts to be as valid and binding as if service had been made
913 upon such applicant in the state of Connecticut. If any process or
914 pleadings under this chapter are served upon the chairperson, it shall
915 be by duplicate copies, one of which shall be filed in the office of the
916 commission, and the other immediately forwarded by registered or
917 certified mail, to the applicant against whom such process or pleadings
918 are directed, at the last-known address of such applicant as shown by
919 the records of the department. No default in any such proceedings or
920 action shall be taken unless it appears by affidavit of the chairperson of
921 the commission that a copy of the process or pleading was mailed to the
922 defendant as required by this subsection, and no judgment by default
923 shall be taken in any such action or proceeding within twenty days after
924 the date of mailing of such process or pleading to the out-of-state
925 defendant.] A real estate professional who satisfies the requirements
926 established in subsection (a) of this section may apply for licensure in
927 this state as set forth in section 21a-11b.

928 Sec. 15. Section 20-319 of the general statutes is repealed and the
929 following is substituted in lieu thereof (*Effective April 1, 2024*):

930 (a) The commission shall authorize the [Department of Consumer
931 Protection] department to issue [an annual] a two-year renewal license
932 to any applicant who possesses the qualifications specified in, and
933 [otherwise] has otherwise complied with the provisions of, this chapter
934 and any regulation adopted [under] pursuant to this chapter. The
935 commission shall authorize [said] the department to issue [an annual] a

936 two-year renewal of a real estate broker's license to any business entity
937 licensed pursuant to subsection (b) of section 20-312, as amended by this
938 act, provided such business entity: (1) Was so licensed as of September
939 30, 2005, notwithstanding the fact such business entity does not meet the
940 requirements for publicly traded corporations required by subdivision
941 [(3)] (5) of subsection (b) of section 20-312, as amended by this act, or (2)
942 changes [its] such business entity's designated [real estate] broker
943 pursuant to subsection (c) of section 20-312, as amended by this act.

944 (b) There [is] are hereby established [an annual] two-year renewal
945 [license] licenses to be issued by the [Department of Consumer
946 Protection. Persons licensed in accordance with the provisions of this
947 chapter] department to real estate licensees. Each real estate licensee
948 who files an application with the department seeking a two-year
949 renewal license shall fulfill a continuing education requirement.
950 [Applicants] Each applicant for [an annual] a two-year renewal license
951 [for real estate brokers or real estate salespersons] shall, in addition to
952 the other requirements imposed by the provisions of this chapter, [in
953 any even-numbered year,] submit to the commission or department
954 proof [of] that such applicant is in compliance with the continuing
955 education requirements [of] established in this [subsection to the
956 commission. Each] section. Each real estate licensee shall pay [an annual
957 four-dollar] a biennial eight-dollar continuing education processing fee
958 to cover the administrative costs associated with [the review] reviewing
959 and auditing [of] continuing education submissions. The continuing
960 education requirement for real estate licensees, other than leasing
961 agents, may be satisfied by successful completion of any of the following
962 during the two-year period preceding [such] a renewal: (1) A course or
963 courses, approved by the commission or department, of continuing
964 education in current real estate practices and licensing laws, including,
965 but not limited to, practices and laws concerning common interest
966 communities, consisting of not less than twelve hours of classroom
967 study; or (2) a written examination prepared and administered by either
968 the [Department of Consumer Protection] department, or by a national
969 testing service approved by the department, which demonstrates a

970 knowledge of current real estate practices and licensing laws; or (3)
971 equivalent continuing educational experience or study as determined
972 by regulations adopted pursuant to subsection (d) of this section. An
973 applicant for examination under subdivision (2) of this subsection shall
974 pay the required examination fee to the national testing service, if
975 administered by such testing service, or to the [Department of
976 Consumer Protection] department, if administered by the department.
977 In order to receive a two-year renewal license under this section, a
978 leasing agent shall complete at least four hours of continuing education
979 during the two-year period beginning twenty-seven months before the
980 renewal date and ending three months before the renewal date, and at
981 least one hour of such continuing education shall address fair housing
982 law.

983 (c) If the commission or department refuses to grant [an annual] a
984 two-year renewal license, the licensee or applicant, upon written notice
985 received as provided for in this chapter, may have recourse to any of the
986 remedies provided by sections 20-314, as amended by this act, and 20-
987 322.

988 (d) The Commissioner of Consumer Protection, in consultation with
989 the commission, shall adopt regulations, in accordance with chapter 54,
990 [concerning the approval of schools, institutions or organizations
991 offering courses in current real estate practices and licensing laws,
992 including, but not limited to, practices and laws concerning common
993 interest communities, and the content of such courses] to establish
994 continuing education requirements. Such regulations shall include, but
995 not be limited to: (1) Specifications for meeting equivalent continuing
996 educational experience or study; and (2) exceptions from continuous
997 education requirements for reasons of health or instances of individual
998 hardship. [No school, institution or organization that offers a course in
999 current real estate practices and licensing laws may be disapproved
1000 solely because its courses are offered or taught by electronic means, and
1001 no course may be disapproved solely because it is offered or taught by
1002 electronic means.]

1003 (e) If a real estate licensee fails to satisfy the continuing education
1004 requirements established pursuant to this section for any two-year
1005 license period, the real estate licensee shall pay to the department a fee
1006 in the amount of:

1007 (1) Three hundred fifteen dollars if such licensee reports to the
1008 department, in a form and manner prescribed by the department, that
1009 such real estate licensee failed to satisfy such continuing education
1010 requirements during such license period but completed such continuing
1011 education requirements not later than two months after such license
1012 period expired; or

1013 (2) Six hundred twenty-five dollars if such licensee reports to the
1014 department, in a form and manner prescribed by the department, that
1015 such real estate licensee failed to satisfy such continuing education
1016 requirements during such license period but completed such continuing
1017 education requirements more than two months after such license period
1018 expired but not later than four months after such license period expired.

1019 Sec. 16. Section 20-319a of the general statutes is repealed and the
1020 following is substituted in lieu thereof (*Effective April 1, 2024*):

1021 (a) [Any] Each licensed real estate salesperson, associate broker or
1022 leasing agent who transfers [his employment from one broker to another
1023 or his] such real estate salesperson's, associate broker's or leasing agent's
1024 affiliation with a broker [as an independent contractor] or property
1025 owner shall register such transfer with, and pay a registration fee of
1026 twenty-five dollars to, the [commission] department.

1027 (b) A fee of twenty-five dollars shall be paid to the [commission]
1028 department for the issuance of a license certification.

1029 (c) A fee of twenty-five dollars shall be paid to the [Department of
1030 Consumer Protection] department for any change made to, or transfer
1031 of, a team's registration after the team files an initial registration with
1032 the department pursuant to [subdivision (1) of] subsection (e) of section
1033 20-312, as amended by this act.

1034 (d) If a team transfers to a new supervising licensee, the new
1035 supervising licensee shall electronically update the team's registration
1036 information with the department not later than fourteen calendar days
1037 after such transfer.

1038 Sec. 17. Section 20-320 of the general statutes is repealed and the
1039 following is substituted in lieu thereof (*Effective April 1, 2024*):

1040 (a) The [Department of Consumer Protection] department may [,
1041 upon the request of the commission or upon the verified complaint in
1042 writing of any person, if such complaint, or such complaint together
1043 with evidence, documentary or otherwise, presented in connection with
1044 such complaint, shall make out a prima facie case,] investigate the
1045 actions of any [real estate broker or real estate salesperson or any person
1046 who assumes to act in any of such capacities] person who engages in the
1047 real estate business or offers real estate courses within this state. The
1048 commission or department may temporarily suspend or permanently
1049 revoke any license or registration issued under the provisions of this
1050 chapter and, in addition to or in lieu of such suspension or revocation,
1051 may, in [its] the commission's or department's discretion, impose a fine
1052 of not more than [two] five thousand dollars per violation at any time
1053 when, after proceedings as provided in section 20-321, the commission
1054 or department finds that the real estate licensee has by false or
1055 fraudulent misrepresentation obtained a license or registration or that
1056 the real estate licensee [is guilty of any of the following] has: (1)
1057 [Making] Made any material misrepresentation; (2) [making] made any
1058 false promise of a character likely to influence, persuade or induce; (3)
1059 [acting] acted as an agent for more than one party in a transaction
1060 without the knowledge of all parties for whom the real estate licensee
1061 [acts] acted; (4) [representing or attempting] represented, or attempted
1062 to represent, a real estate broker, other than the real estate licensee's
1063 [employer or the broker with whom the licensee is affiliated] affiliated
1064 or supervising licensee, without the express knowledge and consent of
1065 [the] such real estate licensee's [employer or] affiliated [broker] or
1066 supervising licensee; (5) [failing] failed, within a reasonable time, to
1067 account for or remit any moneys [coming] which came into the real

1068 estate licensee's possession and which [~~belong~~] belongs to others; (6)
1069 [~~entering~~] entered into an exclusive listing contract or buyer agency
1070 contract which contains a fixed termination date if such contract also
1071 provides for an automatic continuation of the period of such contract
1072 beyond such date; (7) [~~failing~~] failed to deliver immediately a copy of
1073 any instrument to any party or parties executing [~~the~~] such instrument,
1074 where such instrument has been prepared by the real estate licensee or
1075 under [~~the~~] such real estate licensee's supervision and where such
1076 instrument relates to the employment of [~~the~~] such real estate licensee
1077 or to any matters pertaining to the consummation of a lease, or the
1078 purchase, sale or exchange of real property or any other type of real
1079 estate transaction in which [~~the~~] such real estate licensee may participate
1080 as a [~~broker or a salesperson~~] real estate licensee; (8) [~~conviction~~] been
1081 convicted, in a court of competent jurisdiction, of forgery,
1082 embezzlement, obtaining money under false pretenses, larceny,
1083 extortion, conspiracy to defraud [~~or other like~~] or a similar offense, [~~or~~
1084 offenses,] provided suspension or revocation under this subdivision
1085 shall be subject to the provisions of section 46a-80; (9) [~~collecting~~]
1086 collected compensation or a commission in advance of services to be
1087 performed and [~~failing~~] failed, upon demand of the person [~~paying the~~]
1088 who paid such compensation or [~~the~~] commission, to render an
1089 accounting of the use of such [~~money~~] compensation or commission;
1090 (10) [~~commingling~~] commingled funds of others with the real estate
1091 licensee's own funds, or [~~failing~~] failed to keep funds of others in an
1092 escrow or trustee account; (11) engaged in any act or conduct which
1093 constitutes dishonest, fraudulent or improper dealings; (12) [~~failing~~]
1094 failed to provide the disclosures required by section 20-325c, [~~;~~] as
1095 amended by this act; or (13) [~~a violation of~~] violated any provision of
1096 this chapter or any regulation adopted under this chapter. [Any such
1097 suspension or revocation of a license or imposition of a fine by the
1098 commission shall be a proposed final decision and submitted to the
1099 commissioner in accordance with the provisions of subsection (b) of
1100 section 21a-7.] Any fine collected pursuant to this section shall be
1101 deposited in the Real Estate Guaranty Fund established pursuant to
1102 section 20-324a, as amended by this act.

1103 (b) No person shall be relieved of responsibility for the conduct or
1104 actions of such person's agents, employees or officers by reason of such
1105 person's compliance with the provisions of this chapter. No person who
1106 engages in the real estate business shall be relieved of responsibility for
1107 such person's own conduct or actions by reason of such person's
1108 employment by, or association with, any real estate licensee or
1109 development owner.

1110 Sec. 18. Section 20-320a of the general statutes is repealed and the
1111 following is substituted in lieu thereof (*Effective April 1, 2024*):

1112 [(a)] No real estate [broker or real estate salesperson] licensee, no
1113 person affiliated with [such broker or salesperson] a real estate licensee,
1114 and no person engaging in the real estate business may receive a fee,
1115 commission or other form of referral fee for the referral of any buyer of
1116 real property to (1) an attorney-at-law admitted to practice in this state
1117 or any person affiliated with such attorney or (2) any mortgage broker,
1118 any lender, as defined in subdivision (5) of section 49-31d, or any person
1119 affiliated with such mortgage broker or lender.

1120 [(b)] The Department of Consumer Protection may, upon the request
1121 of the commission or upon the verified complaint in writing of any
1122 person, if such complaint, or such complaint together with evidence,
1123 documentary or otherwise, presented in connection with such
1124 complaint, shall make out a prima facie case, investigate the actions of
1125 any real estate broker or real estate salesperson or any person who
1126 assumes to act in any of such capacities within this state. The
1127 commission may temporarily suspend or permanently revoke any
1128 license issued under the provisions of this chapter, and, in addition to
1129 or in lieu of such suspension or revocation, may, in its discretion, impose
1130 a fine of not more than one thousand dollars for the first offense at any
1131 time when, after proceedings as provided in section 20-321, the
1132 commission finds that the licensee is guilty of violating any of the
1133 provisions of subsection (a) of this section. Any such suspension or
1134 revocation of a license or imposition of a fine by the commission shall
1135 be a proposed final decision and submitted to the commissioner in

1136 accordance with the provisions of subsection (b) of section 21a-7.]

1137 Sec. 19. Subsection (a) of section 20-320b of the general statutes is
1138 repealed and the following is substituted in lieu thereof (*Effective April*
1139 *1, 2024*):

1140 (a) A real estate [broker or real estate salesperson licensed under this
1141 chapter] licensee shall not influence residential real estate appraisals.
1142 [For the purposes of this section, "influence residential real estate
1143 appraisals" includes, but is not limited to, refusal or intentional failure
1144 to refer a homebuyer, or encouraging other real estate brokers or real
1145 estate salespersons not to refer a homebuyer, to a mortgage broker, as
1146 defined in section 36a-760, or a lender, as defined in section 36a-760,
1147 based solely on the fact that the mortgage broker or lender uses an
1148 appraiser who has provided an appraisal reflecting a fair market value
1149 estimate that was less than the sale contract price.]

1150 Sec. 20. Section 20-323 of the general statutes is repealed and the
1151 following is substituted in lieu thereof (*Effective April 1, 2024*):

1152 Any real estate licensee under this chapter who is convicted of a
1153 violation of any of the offenses enumerated in subdivision (8) of
1154 subsection (a) of section 20-320, as amended by this act, may incur a
1155 forfeiture of [his or her] such real estate licensee's license and all moneys
1156 that may have been paid for such license. The clerk of any court in which
1157 such conviction has been rendered shall forward to the commission
1158 without charge a certified copy of such conviction. The [commissioner]
1159 Commissioner of Consumer Protection may revoke such licensee's
1160 license after proceedings as provided in section 20-321. Such notice shall
1161 be conclusive of the revocation of such license. Application for
1162 reinstatement of such license shall be subject to the provisions of section
1163 46a-80.

1164 Sec. 21. Section 20-324a of the general statutes is repealed and the
1165 following is substituted in lieu thereof (*Effective April 1, 2024*):

1166 The commission shall establish and maintain a Real Estate Guaranty

1167 Fund from which, subject to the provisions of this section and sections
1168 [20-324a] 20-324b to [20-324j] 20-324i, inclusive, as amended by this act,
1169 any person aggrieved by any action of a real estate [broker or real estate
1170 salesperson] licensee, duly licensed in this state under section 20-312, as
1171 amended by this act, by reason of the embezzlement of money or
1172 property, or money or property unlawfully obtained from any person
1173 by false pretenses, artifice or forgery or by reason of any fraud,
1174 misrepresentation or deceit by or on the part of any such real estate
1175 [broker or real estate salesperson] licensee or the unlicensed employee
1176 of any such real estate [broker] licensee, may recover, upon approval by
1177 the commission of an application brought pursuant to the provisions of
1178 section 20-324e, as amended by this act, compensation in an amount not
1179 exceeding in the aggregate the sum of twenty-five thousand dollars in
1180 connection with any one real estate transaction or claim, regardless of
1181 the number of persons aggrieved or parcels of real estate involved in
1182 such real estate transaction or claim.

1183 Sec. 22. Section 20-324b of the general statutes is repealed and the
1184 following is substituted in lieu thereof (*Effective April 1, 2024*):

1185 [Any person who receives a real estate broker's or real estate
1186 salesperson's license under this chapter for the first time shall] Each real
1187 estate licensee shall, upon application for a license under this chapter,
1188 pay an additional one-time fee of twenty dollars in addition to all other
1189 fees payable, which additional fee shall be credited to the Real Estate
1190 Guaranty Fund. The Real Estate Guaranty Fund shall also be credited as
1191 provided in sections 20-314, as amended by this act, and 20-320, as
1192 amended by this act.

1193 Sec. 23. Section 20-324d of the general statutes is repealed and the
1194 following is substituted in lieu thereof (*Effective April 1, 2024*):

1195 No application to recover compensation under sections 20-324a to
1196 [20-324j] 20-324i, inclusive, as amended by this act, which might
1197 subsequently result in an order for collection from the Real Estate
1198 Guaranty Fund shall be brought later than two years from the final

1199 determination of, or expiration of time for appeal in connection with,
1200 any judgment.

1201 Sec. 24. Subsections (a) to (f), inclusive, of section 20-324e of the
1202 general statutes are repealed and the following is substituted in lieu
1203 thereof (*Effective April 1, 2024*):

1204 (a) When any aggrieved person commences any action for a
1205 judgment which may result in collection from the Real Estate Guaranty
1206 Fund, the aggrieved person shall notify the commission or department
1207 in writing to this effect at the time of the commencement of such action.
1208 Such written notice shall toll the time for making application to the
1209 commission pursuant to section 20-324d, as amended by this act. The
1210 commission or department shall have the right to enter an appearance,
1211 intervene in or defend any such action and may waive the required
1212 written notice for good cause shown.

1213 (b) When any aggrieved person recovers a valid judgment in the
1214 Superior Court against any real estate [broker or real estate salesperson]
1215 licensee or the unlicensed employee of any such real estate [broker]
1216 licensee for loss or damages sustained by reason of the embezzlement
1217 of money or property, or money or property unlawfully obtained from
1218 any person by false pretenses, artifice or forgery or by reason of any
1219 fraud, misrepresentation or deceit by or on the part of such real estate
1220 [broker or salesperson] licensee or the unlicensed employee of any such
1221 real estate broker, such aggrieved person may upon the final
1222 determination of, or expiration of time for appeal in connection with,
1223 any judgment, apply to the commission for an order directing payment
1224 out of the Real Estate Guaranty Fund of the amount unpaid upon the
1225 judgment, subject to the limitations stated in section 20-324a, as
1226 amended by this act, and the limitations specified in this section.

1227 (c) The commission shall proceed upon such application in a
1228 summary manner, and, upon the hearing thereof, the aggrieved person
1229 shall be required to show that: (1) [He] Such aggrieved person is not a
1230 spouse of the debtor or the personal representative of such spouse; (2)

1231 [he] such aggrieved person has complied with all the requirements of
1232 this section; (3) [he] such aggrieved person has obtained a judgment as
1233 provided in subsection (b) of this section, stating the amount thereof and
1234 the amount owing thereon at the date of the application; (4) [he] such
1235 aggrieved person has caused to be issued a writ of execution upon the
1236 judgment and the officer executing the same has made a return showing
1237 that no personal or real property of the judgment debtor liable to be
1238 levied upon in satisfaction of the judgment could be found, or that the
1239 amount realized on the sale of them or of such of them as were found,
1240 under the execution, was insufficient to satisfy the judgment, stating the
1241 amount so realized and the balance remaining due on the judgment
1242 after application thereon of the amount realized; (5) [he] such aggrieved
1243 person has made all reasonable searches and inquiries to ascertain
1244 whether the judgment debtor possesses real or personal property or
1245 other assets, liable to be sold or applied in satisfaction of the judgment;
1246 and (6) that by such search [he] such aggrieved person has discovered
1247 no personal or real property or other assets liable to be sold or applied,
1248 or that [he] such aggrieved person has discovered certain of them,
1249 describing them, owned by the judgment debtor and liable to be so
1250 applied, and that [he] such aggrieved person has taken all necessary
1251 action and proceedings for the realization thereof, and that the amount
1252 thereby realized was insufficient to satisfy the judgment, stating the
1253 amount so realized and the balance remaining due on the judgment
1254 after application of the amount realized.

1255 (d) Whenever the aggrieved person satisfies the commission that it is
1256 not practicable to comply with one or more of the requirements
1257 enumerated in subdivisions (4), (5) and (6) of subsection (c) of this
1258 section and that [the] such aggrieved person has taken all reasonable
1259 steps to collect the amount of the judgment or the unsatisfied part
1260 thereof and has been unable to collect the same, the commission may in
1261 its discretion waive such requirements.

1262 (e) The commission shall order payment from the Real Estate
1263 Guaranty Fund of any sum it shall find to be payable upon the claim,
1264 pursuant to the provisions of and in accordance with the limitations

1265 contained in this section and section 20-324a, as amended by this act, if
1266 the commission is satisfied, upon the hearing, of the truth of all matters
1267 required to be shown by the aggrieved person by subsection (c) of this
1268 section and that [the] such aggrieved person has fully pursued and
1269 exhausted all remedies available to [him] such aggrieved person for
1270 recovering the amount awarded by the judgment of the court.

1271 (f) If the commission pays from the Real Estate Guaranty Fund any
1272 amount in settlement of a claim or toward satisfaction of a judgment
1273 against a [licensed real estate broker or real estate salesperson] real
1274 estate licensee pursuant to an order under subsection (e) of this section,
1275 such [broker or salesperson] real estate licensee shall not be eligible to
1276 receive a new license until [he] such real estate licensee has repaid in
1277 full, plus interest at a rate to be determined by the commission and
1278 which shall reflect current market rates, the amount paid from the fund
1279 on [his] such real estate licensee's account. A discharge in bankruptcy
1280 shall not relieve a person from the penalties and disabilities provided in
1281 this subsection.

1282 Sec. 25. Section 20-324i of the general statutes is repealed and the
1283 following is substituted in lieu thereof (*Effective April 1, 2024*):

1284 The Commissioner of Consumer Protection, with the advice and
1285 assistance of the commission, may adopt regulations, in accordance
1286 with chapter 54, to carry out the provisions of this section and sections
1287 20-324a to [20-324j] 20-324h, inclusive, as amended by this act.

1288 Sec. 26. Section 20-325 of the general statutes is repealed and the
1289 following is substituted in lieu thereof (*Effective April 1, 2024*):

1290 Any person who engages in the real estate business [of a real estate
1291 broker or real estate salesperson] without obtaining a license as
1292 provided in this chapter shall be fined not more than one thousand
1293 dollars per violation or imprisoned not more than six months or both,
1294 and shall be ineligible to obtain a license for one year from the date of
1295 conviction of such offense, except that the commission or Commissioner
1296 of Consumer Protection may grant a license to such person within such

1297 one-year period upon application and after a hearing on such
1298 application.

1299 Sec. 27. Subsection (a) of section 20-325a of the general statutes is
1300 repealed and the following is substituted in lieu thereof (*Effective April*
1301 *1, 2024*):

1302 (a) [No] Except for an out-of-state real estate licensee who is an
1303 individual and seeking to recover agreed compensation authorized
1304 under subsection (e) of section 20-325l, as amended by this act, no
1305 person who is not licensed under the provisions of this chapter, and who
1306 was not so licensed at the time the person performed the acts or
1307 rendered the services for which recovery is sought, shall commence or
1308 bring any action in any court of this state, after October 1, 1971, to
1309 recover any commission, compensation or other payment with respect
1310 to any act done or service rendered by the person, the doing or
1311 rendering of which is prohibited under the provisions of this chapter
1312 except by persons duly licensed under this chapter.

1313 Sec. 28. Section 20-325c of the general statutes is repealed and the
1314 following is substituted in lieu thereof (*Effective April 1, 2024*):

1315 [(a) As used in this section "residential real property" means one to
1316 four-family residential real estate located in this state.]

1317 [(b)] (a) Notwithstanding any provision of the general statutes to the
1318 contrary, no real estate [broker or real estate salesperson] licensee, other
1319 than a leasing agent, and no person affiliated with such [broker or
1320 salesperson] real estate licensee, who receives a fee, commission or other
1321 valuable consideration for the sale of residential real property, may
1322 receive a fee, commission or other valuable consideration for
1323 negotiating, soliciting, arranging, placing or finding a first mortgage
1324 loan for the buyer in connection with the same sale unless disclosure is
1325 made in accordance with the provisions of subsection [(c)] (b) of this
1326 section. Any fee, commission or other valuable consideration received
1327 by such [broker or salesperson] real estate licensee for negotiating,
1328 soliciting, arranging, placing or finding a first mortgage loan shall (1) be

1329 related to the services actually performed, as determined by the Banking
1330 Commissioner by regulations adopted pursuant to chapter 54, (2) not be
1331 imposed for the referral of the buyer to the mortgage lender by such
1332 [broker or salesperson] real estate licensee, and (3) be paid directly to
1333 [the broker or salesperson] such real estate licensee by the buyer rather
1334 than from the mortgage loan proceeds at the time of closing.

1335 [(c)] (b) Any disclosure made pursuant to subsection [(b)] (a) of this
1336 section shall be made to and acknowledged by the buyer prior to the
1337 time the buyer signs a contract with the real estate [broker or
1338 salesperson] licensee for mortgage brokering services. Such disclosure
1339 shall include the following notice printed in at least ten-point boldface
1340 capital letters:

1341 I UNDERSTAND THAT THE REAL ESTATE BROKER OR
1342 SALESPERSON IN THIS TRANSACTION HAS OFFERED TO ASSIST
1343 ME IN FINDING A MORTGAGE LOAN. ADDITIONALLY, I
1344 UNDERSTAND THAT THIS REAL ESTATE BROKER OR
1345 SALESPERSON DOES NOT REPRESENT ANY PARTICULAR
1346 MORTGAGE LENDER AND WILL ATTEMPT TO OBTAIN THE BEST
1347 TERMS AVAILABLE WITHIN THE MORTGAGE LOAN MARKET
1348 FOR MY SPECIFIC HOME FINANCING NEEDS. IF THE REAL
1349 ESTATE BROKER OR SALESPERSON DOES NOT FULFILL HIS
1350 FIDUCIARY OBLIGATION I MAY FILE A COMPLAINT WITH THE
1351 DEPARTMENT OF BANKING. I ALSO UNDERSTAND THAT I MAY
1352 ATTEMPT TO FIND A MORTGAGE LOAN TO FINANCE THE
1353 PURCHASE OF MY HOME WITHOUT THE ASSISTANCE OF THE
1354 REAL ESTATE BROKER OR SALESPERSON IN WHICH CASE I WILL
1355 NOT BE OBLIGATED TO PAY A FEE TO THE REAL ESTATE BROKER
1356 OR SALESPERSON.

1357 [(d)] (c) No mortgage lender may refuse to close a mortgage loan
1358 secured by residential real property because the buyer has not paid a
1359 fee, commission or other valuable consideration to a real estate [broker
1360 or salesperson] licensee for negotiating, soliciting, arranging, placing or
1361 finding the first mortgage loan.

1362 Sec. 29. Section 20-325d of the general statutes is repealed and the
1363 following is substituted in lieu thereof (*Effective April 1, 2024*):

1364 (a) [On and after January 1, 2018, a real estate broker or real estate
1365 salesperson licensed under this chapter] A real estate licensee who
1366 represents a seller, lessor, prospective purchaser or lessee in a real estate
1367 transaction shall disclose, in writing, the identity of [his or her] the real
1368 estate licensee's client to any party to the transaction who is not
1369 represented by another real estate [broker or real estate salesperson
1370 licensed under this chapter] licensee. The real estate [broker or real
1371 estate salesperson] licensee shall make the disclosure required under
1372 this [section] subsection: (1) If the transaction concerns residential real
1373 property, [as defined in section 20-325c,] (A) at the beginning of the first
1374 personal meeting concerning the prospective purchaser's or lessee's
1375 specific needs in the transaction, or (B) at the beginning of the first
1376 personal meeting with the seller or lessor concerning the seller's or
1377 lessor's real property; or (2) if the transaction is a commercial real estate
1378 transaction, [as defined in section 20-311,] before the prospective
1379 purchaser or lessee signs the purchase contract or lease. Such disclosure
1380 shall be signed by a prospective purchaser or lessee and attached to any
1381 offer or agreement to purchase or lease signed by a prospective
1382 purchaser or lessee.

1383 (b) In addition to the disclosures required under subsection (a) of this
1384 section, a real estate licensee shall: (1) Disclose to a prospective party (A)
1385 the types of agency relationships available to the prospective party, and
1386 (B) that the prospective party should not share confidential information
1387 with the real estate licensee until such prospective party has entered into
1388 a written representation agreement with such real estate licensee; and
1389 (2) provide to a prospective party the disclosure form concerning
1390 housing discrimination and federal and state fair housing laws
1391 developed pursuant to section 20-327h, as amended by this act.

1392 (c) The Commissioner of Consumer Protection shall adopt such
1393 regulations, in accordance with chapter 54, as the commissioner deems
1394 necessary to carry out the provisions of this section.

1395 Sec. 30. Section 20-325f of the general statutes is repealed and the
1396 following is substituted in lieu thereof (*Effective April 1, 2024*):

1397 No real estate broker shall make any unilateral offer of subagency or
1398 agree to compensate, appoint, employ, cooperate with or otherwise
1399 affiliate with a subagent for the sale or purchase of real property,
1400 [without the informed written consent of the person whom the real
1401 estate broker represents. Such written consent shall contain the name
1402 and real estate license number of the real estate broker to be appointed
1403 as the subagent and shall contain a statement notifying the person
1404 whom the real estate broker represents that the law imposes vicarious
1405 liability on the principal for the acts of the subagent.]

1406 Sec. 31. Section 20-325h of the general statutes is repealed and the
1407 following is substituted in lieu thereof (*Effective April 1, 2024*):

1408 [(a)] No real estate licensee shall: (1) Reveal any confidential
1409 information concerning a prospective party or a person whom the real
1410 estate licensee represented either as an agent, designated buyer agent or
1411 [a] designated seller agent; (2) use any confidential information
1412 concerning [that] such prospective party or person to [the] such
1413 prospective party's or person's disadvantage; or (3) use any confidential
1414 information concerning [that] such prospective party or person for [the]
1415 such real estate [broker's or real estate salesperson's] licensee's
1416 advantage or the advantage of a third party, except (A) as required by
1417 legal process, (B) as necessary to defend [the] such real estate [broker or
1418 real estate salesperson] licensee from allegations of wrongful or
1419 negligent conduct, or (C) as necessary to prevent the commission of a
1420 crime.

1421 [(b)] As used in this section, "confidential information" means facts
1422 concerning a person's assets, liabilities, income, expenses, motivations
1423 to purchase, rent or sell real property and previous offers received or
1424 made to purchase or lease real property which are not authorized by the
1425 client, a matter of general knowledge, part of a public record or file to
1426 which access is authorized pursuant to section 1-210 or otherwise

1427 subject to disclosure under any other provision of the general statutes
1428 or any regulation of Connecticut state agencies.]

1429 Sec. 32. Section 20-325l of the general statutes is repealed and the
1430 following is substituted in lieu thereof (*Effective April 1, 2024*):

1431 [(a) As used in this section: (1) "Licensed broker" means a person
1432 licensed under this chapter as a real estate broker, (2) "licensed
1433 salesperson" means a person licensed under this chapter as a real estate
1434 salesperson, (3) "out-of-state broker" means a person licensed in another
1435 state as a real estate broker who is not licensed as a real estate broker
1436 under this chapter, (4) "out-of-state salesperson" means a person
1437 licensed in another state as a real estate salesperson who is not licensed
1438 as a real estate salesperson under this chapter, (5) "person" means a
1439 person, as defined in section 20-311, and (6) "advertising" means
1440 advertising, as defined in section 20-329a.]

1441 [(b)] (a) An out-of-state broker may perform acts with respect to a
1442 commercial real estate transaction that require a license under this
1443 chapter, provided the out-of-state broker: [complies with the laws of this
1444 state with respect to the transaction and:]

1445 (1) Works in cooperation with a licensed broker, whether in a
1446 cobrokerage, referral or other cooperative agreement or arrangement;

1447 (2) Enters into a written agreement with a licensed broker that
1448 includes the terms of cooperation and any compensation to be paid by
1449 the licensed broker and a statement that the out-of-state broker and the
1450 out-of-state broker's agents will comply with the laws of this state;

1451 (3) Provides the licensed broker a copy of the out-of-state broker's
1452 license or other proof of licensure from the [jurisdictions] states where
1453 the out-of-state broker maintains a license as a real estate broker; [and]

1454 (4) Deposits all escrow funds, security deposits, and other money
1455 received pursuant to the commercial real estate transaction to be held as
1456 provided in section 20-324k unless the agreement required in

1457 subdivision (2) of this subsection specifies otherwise; [.]

1458 (5) Complies with the laws of this state with respect to the transaction;
1459 and

1460 (6) Is credentialled as a real estate broker in another state.

1461 [(c)] (b) An out-of-state salesperson may perform acts with respect to
1462 a commercial real estate transaction that require a license as a real estate
1463 salesperson under this chapter, provided the out-of-state salesperson
1464 complies with the laws of this state with respect to the transaction and:

1465 (1) Works under the direct supervision of an out-of-state broker who
1466 meets the requirements set forth in [subdivision (1)] subdivisions (1), (5)
1467 and (6) of subsection [(b)] (a) of this section; and

1468 (2) Provides the licensed broker who is working in cooperation with
1469 the out-of-state broker a copy of the out-of-state salesperson's license or
1470 other proof of licensure from the [jurisdictions] states where the out-of-
1471 state salesperson maintains a license as a real estate salesperson.

1472 [(d)] (c) Any out-of-state broker or out-of-state salesperson licensed
1473 in a state that has no distinction between a real estate broker license and
1474 a real estate salesperson license shall be subject to the requirements of
1475 subsection [(b)] (a) of this section with regard to any commercial real
1476 estate transaction in this state.

1477 [(e)] (d) Each out-of-state broker or out-of-state salesperson that
1478 advertises for sale commercial real estate pursuant to this section shall
1479 include in any advertising material the name of the licensed broker with
1480 whom the out-of-state broker has a written agreement pursuant to
1481 subdivision (2) of subsection [(b)] (a) of this section. Nothing in this
1482 section shall permit an out-of-state broker or out-of-state salesperson to
1483 accompany a prospective buyer at the site of commercial real estate
1484 pursuant to a real estate transaction in this state.

1485 (e) An out-of-state real estate licensee, other than an out-of-state
1486 leasing agent, may receive compensation for referring to a real estate

1487 licensee in this state a prospective party to a real estate transaction in
1488 this state.

1489 Sec. 33. Section 20-325m of the general statutes is repealed and the
1490 following is substituted in lieu thereof (*Effective April 1, 2024*):

1491 (a) Any real estate broker licensed under the provisions of this
1492 chapter who engages in the real estate business [, as defined in section
1493 20-311,] shall retain the following records for a period of not less than
1494 seven years after any real estate transaction closes, all funds held in
1495 escrow for such transaction are disbursed or the listing agreement or
1496 buyer or tenant representation agreement expires, whichever occurs
1497 later: (1) All purchase contracts, leases, options, written offers or
1498 counteroffers drafted by such broker or on behalf of such broker; (2) the
1499 listing agreement or buyer or tenant representation agreement, any
1500 extensions of or amendments to such agreements and any disclosures
1501 or agreements required pursuant to sections 20-325a to 20-325l,
1502 inclusive, as amended by this act; and (3) all canceled checks, unused
1503 checks, checkbooks and bank statements for any escrow or trust account
1504 maintained pursuant to section 20-324k. [Such]

1505 (b) Each leasing agent licensed under the provisions of this chapter
1506 shall retain copies of such leasing agent's employment agreement or
1507 contract with a development owner for a period of not less than seven
1508 years.

1509 (c) All records [may] required under subsection (a) or (b) of this
1510 section shall be retained in [any format, electronic or otherwise,] an
1511 electronic format that is capable of producing an accurate copy of the
1512 original documents unless it is commercially impractical for a real estate
1513 broker or leasing agent to retain such records in such format. If it is
1514 commercially impractical for a real estate broker or leasing agent to
1515 retain such records in an electronic format, the real estate broker or
1516 leasing agent shall retain such records in a paper format that is capable
1517 of producing an accurate copy [in paper format] of the original
1518 [document] documents. Each real estate broker or leasing agent shall

1519 make such records available to the department upon any request made
1520 by the department for such records.

1521 Sec. 34. Section 20-327c of the general statutes is repealed and the
1522 following is substituted in lieu thereof (*Effective April 1, 2024*):

1523 (a) On or after January 1, 1996, every agreement to purchase
1524 residential real estate, for which a written residential condition report
1525 is, or written residential condition reports are, required pursuant to
1526 section 20-327b, shall include a requirement that the seller credit the
1527 purchaser with the sum of five hundred dollars at closing should the
1528 seller fail to furnish the written residential condition report or reports as
1529 required by sections 20-327b to 20-327e, inclusive.

1530 (b) [(1)] No seller who credits a purchaser pursuant to subsection (a)
1531 of this section shall, by reason of such credit, be excused from disclosing
1532 to the purchaser any defect in the residential real estate if such defect:

1533 [(A)] (1) Is subject to disclosure pursuant to section 20-327b;

1534 [(B)] (2) Is within the seller's actual knowledge of such residential real
1535 estate; and

1536 [(C)] (3) Significantly impairs [(i)] (A) the value of such residential
1537 real estate, [(ii)] (B) the health or safety of future occupants of such
1538 residential real estate, or [(iii)] (C) the useful life of such residential real
1539 estate.

1540 [(2)] (c) A purchaser may, without limiting any other remedies
1541 available to the purchaser, bring a civil action in the judicial district in
1542 which the residential real estate is located to recover actual damages
1543 from a seller who fails to disclose to such purchaser any defect described
1544 in [subdivision (1) of this subsection to such purchaser] subsection (b)
1545 of this section.

1546 Sec. 35. Subsections (a) and (b) of section 20-327f of the general
1547 statutes are repealed and the following is substituted in lieu thereof
1548 (*Effective April 1, 2024*):

1549 (a) With respect to a contract for the sale of [a one-to-four family]
1550 residential real property, if the seller provides written notice to the
1551 purchaser, prior to, or upon, entering into the contract, of the availability
1552 of the lists of hazardous waste facilities pursuant to section 22a-134f, the
1553 seller and any real estate licensee shall be deemed to have fully satisfied
1554 any duty to disclose the presence of all hazardous waste facilities, as
1555 defined in section 22a-134f even if: (1) The list required to be submitted
1556 pursuant to section 22a-134f has not been submitted, (2) the list has not
1557 been received or made available as required in section 22a-134f, or (3)
1558 there is an error, omission or inaccuracy in the list.

1559 (b) With respect to a contract for the sale of [a one-to-four family]
1560 residential real property, if the seller provides written notice to the
1561 purchaser, prior to, or upon, entering into the contract, of the availability
1562 of information concerning environmental matters from the United
1563 States Environmental Protection Agency, the National Response Center,
1564 the United States Department of Defense and third-party providers, the
1565 seller and any real estate licensee shall be deemed to have fully satisfied
1566 any duty to disclose environmental matters concerning properties other
1567 than the property that is the subject of the contract.

1568 Sec. 36. Subsection (a) of section 20-327g of the general statutes is
1569 repealed and the following is substituted in lieu thereof (*Effective April*
1570 *1, 2024*):

1571 (a) With respect to a contract for the sale of [a one-to-four family]
1572 residential real property, if the seller provides written notice to the
1573 purchaser, prior to, or upon, entering into the contract, that a list of local
1574 properties upon which hunting or shooting sports regularly take place
1575 may be available at the office of the town clerk, the seller and any real
1576 estate licensee shall be deemed to have fully satisfied any duty to
1577 disclose the presence of local properties upon which hunting or
1578 shooting sports regularly take place, even if (1) the list is not available
1579 at the office of the town clerk, or (2) there is an error, omission or
1580 inaccuracy in the list.

1581 Sec. 37. Subsection (b) of section 20-327h of the general statutes is
1582 repealed and the following is substituted in lieu thereof (*Effective April*
1583 *1, 2024*):

1584 (b) Commencing sixty days after the date on which the Commission
1585 on Human Rights and Opportunities makes a disclosure form available
1586 pursuant to subsection (a) of this section, each person who offers a
1587 residential real property [containing two or more units] in the state for
1588 sale, exchange or for lease with option to buy shall attach a photocopy,
1589 duplicate original, facsimile transmission or other exact reproduction or
1590 duplicate of such disclosure form, signed by the prospective purchaser,
1591 to any purchase agreement, option or lease containing a purchase
1592 option, at the time [of closing] such purchase agreement, option or lease
1593 is executed.

1594 Sec. 38. Section 20-328 of the general statutes is repealed and the
1595 following is substituted in lieu thereof (*Effective April 1, 2024*):

1596 The Commissioner of Consumer Protection, with advice and
1597 assistance from the commission, may adopt regulations, in accordance
1598 with chapter 54, relating to the form and manner of filing applications
1599 for licenses under this chapter and the manner in which [licensed real
1600 estate brokers and licensed real estate salespersons] real estate licensees
1601 shall conduct the real estate business.

1602 Sec. 39. Section 20-329 of the general statutes is repealed and the
1603 following is substituted in lieu thereof (*Effective April 1, 2024*):

1604 The provisions of this chapter concerning the licensure of real estate
1605 [brokers and real estate salespersons] licensees shall not apply to: (1)
1606 Any person who as owner or lessor performs any of the acts enumerated
1607 in section 20-311, as amended by this act, with reference to property
1608 owned, leased or sought to be acquired or leased by the person, or to the
1609 person's regular employees who are employed as on-site residential
1610 superintendents or custodians, with respect to the property so owned
1611 or leased or sought to be acquired or leased when such acts are
1612 performed in the regular course of, or incident to, the management of

1613 such property and the investment therein; (2) any person acting as
1614 attorney-in-fact under a duly executed power of attorney from the
1615 owner authorizing the final consummation by performance of any
1616 contract for the sale, leasing or exchange of real estate, or to service
1617 rendered by any attorney-at-law in the performance of the attorney-at-
1618 law's duties as such attorney-at-law; (3) a receiver, trustee in
1619 bankruptcy, administrator, executor or other fiduciary, while acting as
1620 such, or any person selling real estate under order of any court, or to a
1621 trustee acting under a trust agreement, deed of trust or will, or the
1622 regular salaried employees thereof; (4) witnesses in court as to the
1623 values of real estate; (5) persons in the employ of the federal or state
1624 government or any political subdivision thereof while acting in the
1625 course of such employment; (6) any employee of any nonprofit housing
1626 corporation that (A) has been certified as a tax-exempt organization
1627 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
1628 subsequent corresponding internal revenue code of the United States,
1629 as from time to time amended, and manages a housing project, or (B)
1630 manages a housing project assisted in whole or in part by the federal
1631 government pursuant to Section 8 of The United States Housing Act of
1632 1937, as amended from time to time, while such employee is performing
1633 duties in the regular course of, or incidental to, the management of such
1634 housing project; (7) any person licensed to maintain or operate a mobile
1635 manufactured home park under chapter 412 who performs any of the
1636 acts enumerated in section 20-311, as amended by this act, with
1637 reference to lots or mobile manufactured homes within the park or to
1638 the person's employees with respect to lots or mobile manufactured
1639 homes within such park when such acts are performed in the regular
1640 course of, or incidental to, the management of such property and the
1641 investment therein; (8) persons licensed as sellers of mobile
1642 manufactured homes under section 21-67; or (9) any person or such
1643 person's regular employee who, as owner, lessor, licensor, manager,
1644 representative or agent manages, leases, or licenses space on or in a
1645 tower, building or other structure for (A) "personal wireless services
1646 facilities" or facilities for "private mobile service" as those terms are
1647 defined in 47 USC 332, which facilities shall be unattended, and the

1648 installation and maintenance of related devices authorized by the
1649 Federal Communications Commission, and ancillary equipment used to
1650 operate such devices and equipment shelters therefor, in an area not to
1651 exceed three hundred sixty square feet for any one service established
1652 by the Federal Communications Commission in 47 CFR, as amended
1653 from time to time, by a provider of any such service, and (B) any right
1654 appropriate to access such facilities and connect or use utilities in
1655 connection with such facilities.

1656 Sec. 40. Section 20-329a of the general statutes is repealed and the
1657 following is substituted in lieu thereof (*Effective April 1, 2024*):

1658 As used in this section and sections [20-329a] 20-329b to 20-329n,
1659 inclusive, as amended by this act:

1660 (1) "Disposition" or "dispose of" means any sale, exchange, lease,
1661 assignment, award by lottery or other transaction designed to convey
1662 an interest in a subdivision or parcel, lot, or unit in a subdivision when
1663 undertaken for gain or profit;

1664 (2) "Offer" means every inducement, solicitation or attempt to bring
1665 about a disposition;

1666 (3) "Person" means an individual, firm, company, association,
1667 corporation, limited liability company, government or governmental
1668 subdivision or agency, business trust, estate, trust, partnership,
1669 unincorporated association or organization, two or more of any of the
1670 foregoing having a joint or common interest, or any other legal or
1671 commercial entity;

1672 (4) "Broker" means a resident real estate broker duly licensed under
1673 this chapter;

1674 (5) "Salesperson" means any person duly licensed as a real estate
1675 salesperson under this chapter;

1676 (6) "Purchaser" means a person who acquires an interest in any lot,
1677 parcel or unit in a subdivision; and

1678 (7) "Subdivision" means any improved or unimproved land or tract
1679 of land located outside this state which is divided or proposed to be
1680 divided into five or more lots, parcels, units, or interests for the purpose
1681 of disposition, at any time as part of a common promotional plan. Any
1682 land which is under common ownership or which is controlled by a
1683 single developer or a group of developers acting in concert, is
1684 contiguous in area, and is designated or advertised as a common unit or
1685 known by a common name, shall be presumed, without regard to the
1686 number of lots, parcels, units or interests covered by each individual
1687 offering, to be part of a common promotional plan. [; and]

1688 [(8) "Advertising" means publishing or causing to be published: (A)
1689 By means of any newspaper or periodical; (B) by means of any radio or
1690 television broadcast; (C) by means of any written or printed or
1691 photographic matter produced by any duplicating process producing
1692 ten copies or more, any information offering for sale or for the purpose
1693 of causing or inducing any other person to purchase or to acquire an
1694 interest in the title to subdivided lands, including the land sales contract
1695 to be used and any photographs or drawings or artist's representations
1696 of physical conditions or facilities on the property existing or to exist; or
1697 (D) by means of any material used in connection with the disposition or
1698 offer of subdivided lands by radio, television, telephone or any other
1699 electronic means. "Advertising" does not include: Stockholder
1700 communications such as annual reports and interim financial reports,
1701 proxy materials, registration statements, securities prospectuses,
1702 applications for listing securities on stock exchanges, and the like;
1703 prospectuses, property reports, offering statements or other documents
1704 required to be delivered to prospective purchasers by an agency of any
1705 other state or the federal government; all communications addressed to
1706 and relating to the account of any persons who have previously
1707 executed a contract for the purchase of the subdivider's lands except
1708 where directed to the sale of additional lands; or press releases or other
1709 communications delivered to newspapers or other periodicals for
1710 general information or public relations purposes, provided no charge is
1711 made by such newspapers or other periodicals for the publication or use

1712 of any part of such communications.]

1713 Sec. 41. Section 20-329n of the general statutes is repealed and the
1714 following is substituted in lieu thereof (*Effective April 1, 2024*):

1715 All moneys paid or advanced by a purchaser or lessee or prospective
1716 purchaser or prospective lessee for any lot, parcel, unit or interest in any
1717 subdivision, the disposition of which is controlled by sections 20-329a,
1718 as amended by this act, 20-329b, 20-329d, 20-329e, 20-329f [,] and 20-
1719 329h₂ [and 20-329i₂] or such portion of such moneys as the commission
1720 may determine is sufficient for the protection of the interests of such
1721 purchaser or lessee shall be deposited by the seller or lessor in an escrow
1722 account, approved by the commission, in a bank doing business in this
1723 state. Such money shall remain in such escrow account until (1) a proper
1724 and valid release is obtained for such money, (2) the owner or
1725 subdivider or the purchaser or lessee has defaulted under their contract
1726 for sale or lease and the commission or a court has made a determination
1727 as to the disposition of such money, or (3) the owner or subdivider or
1728 the seller or lessor orders the return of such money to such purchaser or
1729 lessee.

1730 Sec. 42. Subsection (c) of section 47-90a of the general statutes is
1731 repealed and the following is substituted in lieu thereof (*Effective April*
1732 *1, 2024*):

1733 (c) Every person who directly or indirectly controls a declarant liable
1734 under subsection (a) of this section, every general partner, officer or
1735 director of a declarant and every person occupying a similar status or
1736 performing a similar function, every employee of the declarant who
1737 materially aids in the disposition, and every agent who materially aids
1738 in the disposition is also liable jointly and severally with and to the same
1739 extent as the declarant, provided the plaintiff sustains the burden of
1740 proof that such person knew or, in the exercise of reasonable care
1741 expected by such persons in the reasonable exercise of their duties,
1742 should have known of the existence of the facts by reason of which the
1743 liability is alleged to exist. There is a right to contribution in cases of

1744 contract among persons so liable. No person shall be liable under this
1745 section whose relationship to the declarant or other person consists
1746 solely of rendering professional and other customary services,
1747 including, but not limited to: (1) An attorney-at-law, architect, land
1748 surveyor or engineer; (2) a lending institution which is not a declarant
1749 whose relationship to the declarant consists solely of rendering
1750 customary banking services and holding a mortgage on all or a portion
1751 of the condominium which mortgage, or agreements or instruments
1752 relating thereto, may contain mutual covenants and agreements
1753 concerning the approval of the condominium instruments and
1754 amendments thereto, and regulates the activity of the declarant under
1755 the condominium instruments or an officer, director or employee of
1756 such lending institution; (3) a real estate broker or salesman whose
1757 relationship to the declarant consists solely of [rendering services
1758 described in subdivision (6) of] engaging in the real estate business, as
1759 defined in section 20-311, as amended by this act, and other customary
1760 services; or (4) a person whose sole involvement in the disposition of a
1761 condominium unit occurs subsequent to the date of the act or omission
1762 out of which any liability under subsection (a) of this section arises.

1763 Sec. 43. Subsection (a) of section 47-42f of the general statutes is
1764 repealed and the following is substituted in lieu thereof (*Effective April*
1765 *1, 2024*):

1766 (a) As used in this section: (1) "Residential real property" has the same
1767 meaning as provided in section [20-325c] 20-311, as amended by this act,
1768 but does not include property owned by the state or any political
1769 subdivision thereof; (2) "benefited property" or "property that benefits"
1770 includes residential real property burdened by an easement or right-of-
1771 way, the owner of which residential real property uses such easement
1772 or right-of-way; and (3) "easement" or "right-of-way" means a private
1773 appurtenant easement or right-of-way.

1774 Sec. 44. Sections 20-329i and 20-324j of the general statutes are
1775 repealed. (*Effective April 1, 2024*)

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>April 1, 2024</i> | 20-311 |
| Sec. 2 | <i>April 1, 2024</i> | New section |
| Sec. 3 | <i>April 1, 2024</i> | New section |
| Sec. 4 | <i>April 1, 2024</i> | New section |
| Sec. 5 | <i>April 1, 2024</i> | New section |
| Sec. 6 | <i>April 1, 2024</i> | New section |
| Sec. 7 | <i>April 1, 2024</i> | New section |
| Sec. 8 | <i>April 1, 2024</i> | 20-311b |
| Sec. 9 | <i>April 1, 2024</i> | 20-312 |
| Sec. 10 | <i>April 1, 2024</i> | 20-312b |
| Sec. 11 | <i>April 1, 2024</i> | 20-314 |
| Sec. 12 | <i>April 1, 2024</i> | 20-314a |
| Sec. 13 | <i>April 1, 2024</i> | 20-316(b) and (c) |
| Sec. 14 | <i>April 1, 2024</i> | 20-317 |
| Sec. 15 | <i>April 1, 2024</i> | 20-319 |
| Sec. 16 | <i>April 1, 2024</i> | 20-319a |
| Sec. 17 | <i>April 1, 2024</i> | 20-320 |
| Sec. 18 | <i>April 1, 2024</i> | 20-320a |
| Sec. 19 | <i>April 1, 2024</i> | 20-320b(a) |
| Sec. 20 | <i>April 1, 2024</i> | 20-323 |
| Sec. 21 | <i>April 1, 2024</i> | 20-324a |
| Sec. 22 | <i>April 1, 2024</i> | 20-324b |
| Sec. 23 | <i>April 1, 2024</i> | 20-324d |
| Sec. 24 | <i>April 1, 2024</i> | 20-324e(a) to (f) |
| Sec. 25 | <i>April 1, 2024</i> | 20-324i |
| Sec. 26 | <i>April 1, 2024</i> | 20-325 |
| Sec. 27 | <i>April 1, 2024</i> | 20-325a(a) |
| Sec. 28 | <i>April 1, 2024</i> | 20-325c |
| Sec. 29 | <i>April 1, 2024</i> | 20-325d |
| Sec. 30 | <i>April 1, 2024</i> | 20-325f |
| Sec. 31 | <i>April 1, 2024</i> | 20-325h |
| Sec. 32 | <i>April 1, 2024</i> | 20-325l |
| Sec. 33 | <i>April 1, 2024</i> | 20-325m |
| Sec. 34 | <i>April 1, 2024</i> | 20-327c |
| Sec. 35 | <i>April 1, 2024</i> | 20-327f(a) and (b) |
| Sec. 36 | <i>April 1, 2024</i> | 20-327g(a) |
| Sec. 37 | <i>April 1, 2024</i> | 20-327h(b) |
| Sec. 38 | <i>April 1, 2024</i> | 20-328 |

| | | |
|---------|----------------------|------------------|
| Sec. 39 | <i>April 1, 2024</i> | 20-329 |
| Sec. 40 | <i>April 1, 2024</i> | 20-329a |
| Sec. 41 | <i>April 1, 2024</i> | 20-329n |
| Sec. 42 | <i>April 1, 2024</i> | 47-90a(c) |
| Sec. 43 | <i>April 1, 2024</i> | 47-42f(a) |
| Sec. 44 | <i>April 1, 2024</i> | Repealer section |

Statement of Purpose:

To implement the Department of Consumer Protection's recommendations concerning real estate licensees and enforcement.

[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.]