



General Assembly

Raised Bill No. 5588

January Session, 2015

LCO No. 933

00933_____INS

Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:

(INS)

***AN ACT CONCERNING THE LIABILITY OF UNIT OWNERS FOR CERTAIN COSTS
UNDER THE CONDOMINIUM ACT AND THE COMMON INTEREST OWNERSHIP ACT.***

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

Section 1. Subsection (e) of section 47-257 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(e) If any common expense is caused by the wilful misconduct, failure to comply with a written maintenance standard promulgated by the association or gross negligence of any unit owner, [or tenant or a guest or invitee of a unit owner or tenant,] the association may, after notice and hearing, assess the portion of that common expense in excess of any insurance proceeds received by the association under its insurance policy, whether that portion results from the application of a deductible or otherwise, exclusively against that owner's unit.

Sec. 2. Subsection (d) of section 47-76 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(d) To the extent that the condominium instruments expressly so provide, any other costs incurred by the association caused by the negligence or wilful misconduct of any unit owner [or his licensee or invitees,] or for a specific service rendered to a unit owner [which] that is different from services regularly rendered to all unit owners, shall be specially assessed against said unit owner in accordance with such reasonable provisions as the condominium instruments may make for such cases.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	47-257(e)
Sec. 2	<i>October 1, 2015</i>	47-76(d)

Statement of Purpose:

To eliminate the liability of a unit owner for certain expenses for actions attributable to individuals other than the unit owner.

[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.]