

HOUSE No. 664

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the management of condominium associations.

PETITION OF:

NAME:

William C. Galvin

DISTRICT/ADDRESS:

6th Norfolk

HOUSE No. 664

By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 664) of William C. Galvin for legislation to assist condominium association members in accessing certain paperwork. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1100 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the management of condominium associations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (c) of section 10 of chapter 183A of the General Laws, as
2 appearing in the 2012 Official Edition, is hereby amended by adding the following paragraph:-

3 Any party responsible for keeping records pursuant to this subsection who fails to comply
4 with any provision of this subsection shall be punished by a fine of not more than \$1000;
5 provided, however, that any appointed manager or managing agent who violates this subsection
6 shall be prohibited from entering into any new contracts for management services with a
7 corporation, trust or unincorporated association located within the commonwealth for a period of
8 6 months from the date of said violation.

9 SECTION 2. Subsection (d) of said section 10 of said chapter 183A of the General Laws,
10 as so appearing, is hereby amended by striking out the first paragraph and inserting in place
11 thereof the following paragraph:-

12 The party responsible for keeping the records in clause (4) of subsection (c) shall:

13 (1) prepare a financial report, which shall include a balance sheet, income and expense
14 statement and a statement of funds available in the various funds of the organization, within 120
15 days of the end of the fiscal year;

16 (2) submit a copy of the financial report to the office of the attorney general within 30
17 days of its completion;

18 (3) make a copy of the financial report available to all unit owners within 30 days of its
19 completion;

20 (4) make a copy of the financial report available upon request to any mortgagee holding a
21 recorded mortgage on a unit in the condominium; and

22 (5) cause the financial report to be reviewed by an independent certified public
23 accountant in the manner set forth in this subsection.

24 SECTION 3. Said subsection (d) of said section 10 of said chapter 183A of the General
25 Laws, as so appearing, is hereby further amended by adding the following paragraph:-

26 Any party responsible for preparing a financial report pursuant to this subsection who
27 fails to comply with any provision of this subsection shall be punished by a fine of not more than
28 \$1000; provided, however, that any appointed manager or managing agent who violates this
29 subsection shall be prohibited from entering into any new contracts for management services

30 with a corporation, trust or unincorporated association located within the commonwealth for a
31 period of 6 months from the date of said violation.

32 SECTION 4. Subsection (f) of said section 10 of said chapter 183A of the General Laws,
33 as so appearing, is hereby amended by adding the following paragraph:-

34 A manager or managing agent who fails to comply with any provision of this subsection
35 shall be punished by a fine of not more than \$1000 and prohibited from entering into any new
36 contracts for management services with a corporation, trust or unincorporated association located
37 within the commonwealth for a period of 6 months from the date of said violation.

38 SECTION 5. Section 10 of chapter 183A of the General Laws, as so appearing, is hereby
39 amended by adding the following subsection:-

40 (o) The attorney general shall enforce subsections (c), (d) and (f) and shall have the
41 authority to promulgate rules and regulations and investigate claims of noncompliance relative to
42 the enforcement of said subsections.