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LC001679/SUB A/2
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO PROPERTY -- ALTERATIONS OF UNITS

Introduced By: Senator Michael J. McCaffrey

Date Introduced: March 11, 2015

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-36.1-2.11 of the General Laws in Chapter 34-36.1 entitled
2 "Condominium Law" is hereby amended to read as follows:

3 **34-36.1-2.11. Alterations of units.** -- Subject to the provisions of the declaration and
4 other provisions of law, a unit owner:

5 (1) May make any improvements or alterations to his or her unit that do not impair the
6 structural integrity or mechanical systems or lessen the support of any portion of the
7 condominium;

8 (2) May not change the appearance of the common elements, or the exterior appearance
9 of a unit or any other portion of the condominium, without permission of the association;

10 (3) After acquiring an adjoining unit or an adjoining part of an adjoining unit, may
11 remove or alter any intervening partition or create apertures therein, even if the partition in whole
12 or in part is a common element, if those acts do not impair the structural integrity or mechanical
13 systems or lessen the support of any portion of the condominium. Removal of partitions or
14 creation of apertures under this subdivision is not an alteration of boundaries.

15 (4) May improve or alter his or her unit beyond its existing footprint and/or unit
16 boundaries if: (i) The unit is a free standing unattached unit; and (ii) The condominium
17 declaration permits the same. Any improvement, alteration and/or expansion of a unit under this
18 subsection shall not be considered an alteration or change of unit boundaries, or allocated
19 interests. Any improvement, alteration and/or expansion of a unit under this subsection shall be

1 subject to any restrictions, conditions or process contained in the declaration. Nothing in this
2 section shall be construed to prevent further amendments to condominium declarations that may
3 choose to prohibit any improvement, alteration and/or expansion of a unit under this subsection.
4 Any unit owner aggrieved by a decision or action under this subsection may appeal said decision
5 or action to the superior court for review.

6 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would allow a unit owner to improve or alter a unit beyond its existing footprint
- 2 if the unit is a free standing unattached unit and the condominium declaration permits the same.
- 3 This act would take effect upon passage.

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