

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 23-18**—sSB 1072

*Judiciary Committee*

**AN ACT CONCERNING REVISIONS TO THE COMMON INTEREST OWNERSHIP ACT**

**SUMMARY:** This act makes various revisions to the Common Interest Ownership Act (CIOA) (see **BACKGROUND**).

It requires common interest community associations to keep confidential any unredacted records that identify how a unit owner voted, including (1) paper or electronic ballots and (2) proxy forms. Prior law gave unit owners access to voting records regardless of whether they were redacted. By law, associations must keep voting records for at least one year after the vote.

The act increases the fee that unit owners must pay their association for the required resale certificate when selling their unit (see **BACKGROUND**). The act sets the fee at \$185; prior law allowed associations to set the fee, up to \$125. (By law, the association can also charge certain associated costs.) The act also provides for potential increases in the \$185 fee on each July 1, if there is at least a 10% increase over a specified reference base tied to inflation (the U.S. Bureau of Labor Statistics' Consumer Price Index for Urban Wage Earners and Clerical Workers: U.S. City Average).

Existing law allows strictly nonresidential common interest communities to vary or waive the law's insurance requirements. The act also allows residential common interest communities to vary or waive these requirements for a building's units if all units in the building are restricted to nonresidential use. (Under CIOA, residential common interest communities generally must have property, liability, fidelity, and, in some cases, flood insurance.)

Existing law generally allows unit owners to vote at meetings either in person or electronically. The act specifies that owners may vote, by electronic or paper ballot, at meetings (whether held in-person, remotely, or a hybrid), and also may vote before the meeting or during any continuation of it. As under prior law, these provisions apply unless the association's declaration or bylaws prohibit or limit voting this way.

**EFFECTIVE DATE:** October 1, 2023

**BACKGROUND**

*Common Interest Ownership Act*

CIOA governs condominiums and other common interest communities formed in Connecticut on and after January 1, 1984 (CGS § 47-200 et seq.). Certain CIOA provisions also apply to common interest communities created in Connecticut before January 1, 1984, but do not invalidate existing provisions of the

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communities' governing instruments. Common interest communities created before that date can amend their governing instruments to conform to portions of CIOA that do not automatically apply (CGS §§ 47-214, -216 & -218).

### *CIOA Resale Certificate Requirements*

CIOA generally requires residential unit owners, when selling their units, to give the purchaser a resale certificate that includes specified information about the association, such as its current budget, assessments, reserves for capital expenditures, and any occupancy or leasing restrictions (CGS § 47-270).