



General Assembly

Substitute Bill No. 6769

January Session, 2023



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 Section 20-311 of the general statutes is repealed and the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 having a working relationship with a real estate
25 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
64 broker responsible for the supervision and overall operation of such
65 business entity's engagement in the real estate business in this state;

66 [(4)] (12) "Designated buyer agent" means a [broker or salesperson]
67 real estate licensee, other than a leasing agent, who is designated by the
68 real estate broker by whom such real estate licensee is employed, or with
69 whom [the broker or salesperson] such real estate licensee is affiliated,
70 [or employed to] solely to represent a named buyer or tenant client of
71 the real estate broker during the term of a buyer representation
72 agreement or authorization;

73 [(5)] (13) "Designated seller agent" means a [broker or salesperson]
74 real estate licensee, other than a leasing agent, who is designated by the
75 real estate broker by whom such real estate licensee is employed, or with
76 whom [the broker or salesperson] such real estate licensee is affiliated,
77 [or employed to] solely to represent a named seller or landlord client of
78 the real estate broker during the term of a listing agreement or

79 authorization;

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

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

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

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

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

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

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

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

123 [(7)] (22) "Person" means any individual [, partnership, association,
124 limited liability company or corporation] or business entity;

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

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

145 ~~[(8)]~~ (25) "Real estate broker" or "broker" means (A) any person [,
146 partnership, association, limited liability company or corporation which
147 acts for another person or entity and for a fee, commission or other
148 valuable consideration, lists for sale, sells, exchanges, buys or rents, or
149 offers or attempts to negotiate a sale, exchange, purchase or rental of, an
150 estate or interest in real estate, or a resale of a mobile manufactured
151 home, as defined in subdivision (1) of section 21-64, or collects or offers
152 or attempts to collect rent for the use of real estate] engaged in the real
153 estate business, and (B) any person [, partnership, association, limited
154 liability company or corporation] employed by or on behalf of the owner
155 or owners of lots or other parcels of real estate, at a stated salary, upon
156 commission, upon a salary and commission basis or otherwise to sell
157 such real estate, or any parts thereof, in lots or other parcels, and who
158 sells or exchanges, or offers, attempts or agrees to negotiate the sale or
159 exchange of, any such lot or parcel of real estate;

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

162 ~~[(9)]~~ (27) "Real estate salesperson" or "salesperson" means [a person]
163 any individual who is affiliated with [any real estate broker as an
164 independent contractor or employed by a real estate broker to list for
165 sale, sell or offer for sale, to buy or offer to buy or to negotiate the
166 purchase or sale or exchange of real estate, or to offer for resale, a mobile
167 manufactured home, as defined in subdivision (1) of section 21-64, or to
168 lease or rent or offer to lease, rent or place for rent any real estate, or to
169 collect or offer or attempt to collect rent for the use of real estate] a
170 supervising licensee to (A) engage in the real estate business for or on
171 behalf of such [real estate broker, or who offers, sells or attempts to sell
172 the real estate or mobile manufactured homes of a licensed broker]
173 supervising licensee, or (B) if such individual is acting for another
174 person as a designated seller agent or designated buyer agent, [lists for

175 sale, sells, exchanges, buys or rents, or offers or attempts to negotiate a
176 sale, exchange, purchase or rental of, an estate or interest in real estate,
177 or a resale of a mobile manufactured home, as defined in subsection (a)
178 of section 21-64, or collects or offers or attempts to collect rent for the
179 use of real estate, but does not include employees of any real estate
180 broker whose principal occupation is clerical work in an office, or
181 janitors or custodians engaged principally in that occupation] engage in
182 the real estate business;

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

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

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

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

197 [(10)] (32) "Team" means [a group] any combination of at least two
198 licensed real estate brokers, designated brokers or real estate
199 salespersons who are affiliated with the same [sponsoring real estate
200 broker] supervising licensee and engage in advertising as a group using
201 a team name; and

202 [(11)] (33) "Team name" means the name used to refer to a team in
203 team advertisements.

204 Sec. 2. (NEW) (*Effective April 1, 2024*) (a) No associate broker shall

205 engage in the real estate business unless the supervising licensee that is
206 responsible for controlling and supervising the associate broker (1)
207 knows that such associate broker is engaging in the real estate business,
208 and (2) has consented to such associate broker engaging in the real estate
209 business.

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

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

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

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

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

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

234 (2) No school shall offer any prelicensing or continuing education

235 course in this state unless such school maintains an active registration
236 with the department under this section.

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

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

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

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

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

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

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

262 (1) An outline of the course content detailing the total duration of
263 such course and the amount of time spent on each subject covered as

264 part of such course;

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

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

268 (4) The cancellation and refund policy available to students for such
269 course;

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

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

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

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

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

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

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

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

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

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

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

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

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

328 (signature of buyer or renter)

329 (relationship of interpreter to buyer or renter)

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

334 (signature of interpreter)

335 (relationship of interpreter to buyer or renter)."

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

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

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

351 Sec. 6. (NEW) (*Effective April 1, 2024*) (a) If a real estate broker dies or
352 is incapacitated, the executor of such broker's estate or any other person
353 who is legally authorized to act on behalf of such broker in a financial
354 transaction may apply to the department, in a form and manner
355 prescribed by the department, for the appointment of a custodial broker.
356 If the department approves an application for the appointment of a
357 custodial broker, the department shall appoint a custodial broker for the
358 deceased or incapacitated broker. Except as provided in subsection (b)
359 of this section, each custodial broker who is appointed pursuant to this
360 subsection shall serve for a term not to exceed one hundred eighty days.

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

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

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

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

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

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

382 business entity.

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

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

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

411 (b) If a leasing agent's affiliation with a development owner is
412 terminated, the leasing agent shall notify the department of such
413 termination not later than fourteen calendar days after such termination

414 or such leasing agent's affiliation with another development owner,
415 whichever occurs first.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

493 (D) [with respect to] The business entity is a partnership or limited
494 liability partnership [, one or more real estate brokers'] and the
495 partnership interest, as defined in section 34-301, of one or more real
496 estate brokers, who are licensed or exempt from licensure under this
497 chapter, constitutes at least fifty-one per cent of the total partnership
498 interest. [No such corporation, limited liability company, partnership or
499 limited liability partnership shall be relieved of responsibility for the
500 conduct or acts of its agents, employees or officers by reason of its
501 compliance with this section, nor shall any individual practicing real
502 estate brokerage be relieved of responsibility for real estate services
503 performed by reason of the individual's employment or relationship
504 with such corporation, limited liability company, partnership or limited

505 liability partnership. The Real Estate Commission may refuse to
506 authorize the issuance or renewal of a license if any facts exist that
507 would entitle the commission to suspend or revoke an existing license.]

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

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

535 (e) [(1) (A) Except as provided in subdivision (2) of this subsection,
536 each] Each team shall register, on a form and in a manner prescribed by
537 the [commissioner] Commissioner of Consumer Protection, with the

538 [Department of Consumer Protection] department. Each initial
539 registration shall be valid for a period of one year and be subject to
540 renewal for additional one-year periods. Each team shall pay to the
541 department an initial registration fee of five hundred sixty-five dollars
542 when the team files its initial registration, and a registration renewal fee
543 of three hundred seventy-five dollars when the team files each
544 registration renewal, pursuant to this subparagraph. Each team shall
545 include in each registration form that the team files with the department
546 pursuant to this [subparagraph] subsection:

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

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

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

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

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

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

567 [(B)] (f) A team shall send notice to the department disclosing any

568 change to the information contained in the team's registration form. The
569 team shall send such notice to the department, on a form and in a
570 manner prescribed by the [commissioner] Commissioner of Consumer
571 Protection, not later than twelve days after the date of such change. A
572 team may transfer the team's registration from one supervising licensee
573 to another supervising licensee, without applying for a new team
574 registration, if (1) all members of such team transfer to such other
575 supervising licensee, and (2) both supervising licensees agree to such
576 transfer.

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

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

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

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

598 (1) The [broker or salesperson] real estate licensee, for purposes of

599 workers' compensation, is engaged as an independent contractor
600 associated with the person for whom services are performed;

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

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

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

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

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

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

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

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

626 (a) Licenses shall be granted under this chapter only to persons who

627 bear a good reputation for honesty, truthfulness and fair dealing and
628 who are competent to transact the business of a leasing agent, real estate
629 broker or real estate salesperson in such manner as to safeguard the
630 interests of the public.

631 (b) Each application for a license or for a renewal thereof shall be
632 made in writing, on such forms and in such manner as is prescribed by
633 the [Department of Consumer Protection and accompanied by such
634 evidence in support of such application as is prescribed by the
635 commission. The commission may require such information with regard
636 to an applicant as the commission deems desirable, with due regard to
637 the paramount interests of the public, as to the honesty, truthfulness,
638 integrity and competency of the applicant and, where the applicant is a
639 corporation, association or partnership, as to the honesty, truthfulness,
640 integrity and competency of the officers of such corporation or the
641 members of such association or partnership] department.

642 (c) In order to determine the competency of any applicant for a real
643 estate [broker's license or a real estate salesperson's] licensee's license,
644 the commission or Commissioner of Consumer Protection shall, on
645 payment of an application fee of one hundred twenty dollars by an
646 applicant for a real estate broker's license or an application fee of eighty
647 dollars by an applicant for a leasing agent's or real estate salesperson's
648 license, subject such applicant to personal written examination as to the
649 applicant's competency to act as a leasing agent, real estate broker or
650 real estate salesperson, as the case may be. [Such] Each examination
651 shall be prepared by the [Department of Consumer Protection]
652 department or by a national testing service designated by the
653 [Commissioner of Consumer Protection] commissioner and shall be
654 administered to applicants by the [Department of Consumer Protection]
655 department or by such testing service at such times and places as the
656 commissioner may deem necessary. The commission or [Commissioner
657 of Consumer Protection] commissioner may waive the uniform portion
658 of the written examination requirement in the case of an applicant who
659 has taken the national testing service examination in another state

660 within two years from the date of application and has received a score
661 deemed satisfactory by the commission or [Commissioner of Consumer
662 Protection] commissioner. The [Commissioner of Consumer Protection]
663 commissioner shall adopt regulations, in accordance with chapter 54,
664 establishing passing scores for examinations. In addition to such
665 application fee, applicants taking the examination administered by a
666 national testing service shall be required to pay directly to such testing
667 service an examination fee covering the cost of such examination. Each
668 payment of such application fee shall entitle the applicant to take such
669 examination within the one-year period from the date of payment.

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

688 [(B)] (d) (1) Each applicant [applying for a real estate broker's license
689 on or after January 1, 2022,] shall, before being admitted to such
690 examination, prove to the satisfaction of the commission or the
691 Commissioner of Consumer Protection that the applicant [(i) (I)] (A) (i)
692 has been actively engaged as a licensed real estate salesperson under the

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

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

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

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

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

756 (f) All licenses issued under the provisions of this chapter shall expire
757 [annually] biennially. At the time of application for a real estate broker's
758 license, there shall be paid to the [commission] department, for each

759 individual applicant and for each [proposed active member or officer of
760 a firm, partnership, association or corporation] business entity, the sum
761 of [five hundred sixty-five] one thousand one hundred thirty dollars,
762 and for the [annual] biennial renewal thereof, the sum of [three hundred
763 seventy-five] seven hundred fifty dollars, except that for licenses
764 expiring on March 31, 2022, a prorated renewal fee shall be charged to
765 reflect the fact that the March 2022, renewal shall expire on November
766 30, 2023. At the time of application for a real estate salesperson's or
767 leasing agent's license, there shall be paid to the [commission two
768 hundred eighty-five] department five hundred seventy dollars and for
769 the [annual] biennial renewal thereof the sum of [two hundred eighty-
770 five] five hundred seventy dollars. [Three] Six dollars of each such
771 [annual] biennial renewal fee shall be payable to the Real Estate
772 Guaranty Fund established pursuant to section 20-324a, as amended by
773 this act. A real estate broker's license issued to any [partnership,
774 association or corporation] business entity shall entitle the [individual
775 designated in the application, as provided in section 20-312] designated
776 broker, upon compliance with the terms of this chapter, but without the
777 payment of any further fee, to perform all of the acts of a real estate
778 broker under this chapter on behalf of such [partnership, association or
779 corporation] business entity. Any license which expires and is not
780 renewed [pursuant to this subsection] on or before the ninetieth day
781 following the expiration date of such license may be reinstated by the
782 commission [, if, not later than two years after the date of expiration, the
783 former licensee pays to the commission for] or department, in the
784 commission's or department's discretion, provided such license has
785 expired for less than three years and the former licensee (1) attests that
786 such former licensee did not work in this state in the occupation or
787 profession in which such former licensee was licensed while such
788 former licensee's license was lapsed, (2) pays the renewal fee due for
789 such license for the year in which such license is reinstated, and (3)
790 completes any continuing education required for such license for the
791 year preceding such reinstatement. If an applicant for reinstatement
792 worked in this state in the occupation or profession in which such
793 applicant was formerly licensed while such license was lapsed, the

794 applicant shall pay all license and late fees due and owing for the lapse
795 period and demonstrate that such applicant has completed all
796 continuing education required for such license for the year preceding
797 such reinstatement. Such late fees shall be assessed for each real estate
798 broker's license [the sum] in the amount of three hundred seventy-five
799 dollars and for each real estate salesperson's or leasing agent's license
800 [the sum] in the amount of two hundred eighty-five dollars for each year
801 or fraction thereof from the date of expiration of the previous license to
802 the date of payment for reinstatement, [, except that any] If a license has
803 lapsed for at least three years, the former licensee is ineligible for
804 reinstatement under this subsection and may apply for a new license.
805 Notwithstanding any contrary provision of this subsection, a former
806 licensee whose license expired after such former licensee entered
807 military service shall be reinstated without payment of any fee if an
808 application for reinstatement is filed with the commission [within two
809 years after the date of expiration] or department before the third
810 anniversary of such expiration date, and the former licensee provides
811 evidence that is sufficient to demonstrate to the commission or
812 department that such former licensee completed at least six hours of
813 continuing education for such license, including, but not limited to, the
814 mandatory continuing education required for such license, during the
815 calendar year preceding the date on which such application for
816 reinstatement is filed. Any such reinstated broker's license shall expire
817 on the next succeeding November thirtieth, [, except that any broker's
818 license that is reinstated before March 31, 2022, shall expire on March
819 31, 2022.] Any such reinstated real estate salesperson's license shall
820 expire on the next succeeding May thirty-first.

821 (g) [Any person whose application has been filed as provided in this
822 section and who is refused a license shall be given notice and afforded
823 an opportunity for hearing as provided in the regulations adopted by
824 the Commissioner of Consumer Protection.] Following a denial of a
825 license or license renewal application filed under this section, the
826 department shall send a notice to the applicant who filed such
827 application disclosing such denial and that such applicant may request

828 a hearing by submitting to the Commissioner of Consumer Protection a
829 written hearing request not later than thirty days after the date such
830 denial notice was sent to such applicant. If the applicant requests a
831 hearing during such thirty-day period, the department shall send a
832 notice to such applicant disclosing the grounds for such denial and
833 conduct a hearing concerning such denial in accordance with the
834 provisions of chapter 54. If the commissioner's denial is sustained after
835 such hearing, the applicant may file a new application for such license
836 or license renewal not sooner than one year after the date on which such
837 denial was sustained.

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

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

856 (b) The commission or department may exempt any applicant for a
857 real estate broker's license from the requirements concerning experience
858 under the provisions of subsection (d) of section 20-314, as amended by
859 this act, if the commission or department determines that such applicant
860 is unable to meet such requirements solely because such applicant has

861 been subjected to discrimination based on race, creed or color, which
862 discrimination interfered with such applicant's ability to meet such
863 requirements.

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

867 (b) No license under this chapter shall be issued by the [Department
868 of Consumer Protection] department to any applicant (1) whose
869 application for a license as a real estate [broker or real estate salesperson]
870 licensee has, within one year prior to the date of [his] such applicant's
871 application under this chapter, been rejected in this state, in any other
872 state or in the District of Columbia, or (2) whose license as a real estate
873 [broker or real estate salesperson] licensee has, within one year prior to
874 the date of [his] such applicant's application under this chapter, been
875 revoked in this state, in any other state or in the District of Columbia.

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

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

881 (a) A person licensed in another state [as a real estate broker or
882 salesperson] to engage in the real estate business may become a real
883 estate [broker or real estate salesperson] licensee in this state by
884 conforming to all of the provisions of this chapter. The commission or
885 Commissioner of Consumer Protection shall recognize a current, valid
886 license issued to a currently practicing, competent real estate [broker or
887 real estate salesperson] professional engaging in the real estate business
888 in, and recognized by, another state as satisfactorily qualifying [the
889 broker or salesperson] such real estate professional for a license as a real
890 estate [broker or real estate salesperson] licensee under this chapter,
891 provided (1) the laws of the state in which [the broker or salesperson]

892 such real estate professional is licensed require that applicants for
893 licenses as real estate [brokers and real estate salespersons] licensees
894 establish their competency by written examinations, [and allow licenses
895 to be issued to residents of the state of Connecticut, licensed under this
896 chapter, without examination,] (2) the licensure requirements of such
897 state are substantially similar to or higher than those of this state, and
898 (3) [the broker or salesperson] such real estate professional has no
899 disciplinary proceeding or unresolved complaint pending against [the
900 broker or salesperson] such real estate professional. If [the] an applicant
901 real estate professional is licensed in a state that does not have such
902 requirements, such applicant real estate professional shall be required
903 to pass the Connecticut portion of the real estate examination.

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

926 this state as set forth in section 21a-11b.

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

929 (a) The commission shall authorize the [Department of Consumer
930 Protection] department to issue [an annual] a two-year renewal license
931 to any applicant who possesses the qualifications specified in, and
932 [otherwise] has otherwise complied with the provisions of, this chapter
933 and any regulation adopted [under] pursuant to this chapter. The
934 commission shall authorize [said] the department to issue [an annual] a
935 two-year renewal of a real estate broker's license to any business entity
936 licensed pursuant to subsection (b) of section 20-312, as amended by this
937 act, provided such business entity: (1) Was so licensed as of September
938 30, 2005, notwithstanding the fact such business entity does not meet the
939 requirements for publicly traded corporations required by subdivision
940 [(3)] (5) of subsection (b) of section 20-312, as amended by this act, or (2)
941 changes [its] such business entity's designated [real estate] broker
942 pursuant to subsection (c) of section 20-312, as amended by this act.

943 (b) There [is] are hereby established [an annual] two-year renewal
944 [license] licenses to be issued by the [Department of Consumer
945 Protection. Persons licensed in accordance with the provisions of this
946 chapter] department to real estate licensees. Each real estate licensee
947 who files an application with the department seeking a two-year
948 renewal license shall fulfill a continuing education requirement.
949 [Applicants] Each applicant for [an annual] a two-year renewal license
950 [for real estate brokers or real estate salespersons] shall, in addition to
951 the other requirements imposed by the provisions of this chapter, [in
952 any even-numbered year,] submit to the commission or department
953 proof [of] that such applicant is in compliance with the continuing
954 education requirements [of] established in this [subsection to the
955 commission. Each] section. Each real estate licensee shall pay [an annual
956 four-dollar] a biennial eight-dollar continuing education processing fee
957 to cover the administrative costs associated with [the review] reviewing
958 and auditing [of] continuing education submissions. The continuing

959 education requirement for real estate licensees, other than leasing
960 agents, may be satisfied by successful completion of any of the following
961 during the two-year period preceding [such] a renewal: (1) A course or
962 courses, approved by the commission or department, of continuing
963 education in current real estate practices and licensing laws, including,
964 but not limited to, practices and laws concerning common interest
965 communities, consisting of not less than twelve hours of classroom
966 study; or (2) a written examination prepared and administered by either
967 the [Department of Consumer Protection] department, or by a national
968 testing service approved by the department, which demonstrates a
969 knowledge of current real estate practices and licensing laws; or (3)
970 equivalent continuing educational experience or study as determined
971 by regulations adopted pursuant to subsection (d) of this section. An
972 applicant for examination under subdivision (2) of this subsection shall
973 pay the required examination fee to the national testing service, if
974 administered by such testing service, or to the [Department of
975 Consumer Protection] department, if administered by the department.
976 In order to receive a two-year renewal license under this section, a
977 leasing agent shall complete at least four hours of continuing education
978 during the two-year period beginning twenty-seven months before the
979 renewal date and ending three months before the renewal date, and at
980 least one hour of such continuing education shall address fair housing
981 law.

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

987 (d) The Commissioner of Consumer Protection, in consultation with
988 the commission, shall adopt regulations, in accordance with chapter 54,
989 [concerning the approval of schools, institutions or organizations
990 offering courses in current real estate practices and licensing laws,
991 including, but not limited to, practices and laws concerning common

992 interest communities, and the content of such courses] to establish
993 continuing education requirements. Such regulations shall include, but
994 not be limited to: (1) Specifications for meeting equivalent continuing
995 educational experience or study; and (2) exceptions from continuous
996 education requirements for reasons of health or instances of individual
997 hardship. [No school, institution or organization that offers a course in
998 current real estate practices and licensing laws may be disapproved
999 solely because its courses are offered or taught by electronic means, and
1000 no course may be disapproved solely because it is offered or taught by
1001 electronic means.]

1002 (e) If a real estate licensee fails to satisfy the continuing education
1003 requirements established pursuant to this section for any two-year
1004 license period, the real estate licensee shall pay to the department a fee
1005 in the amount of:

1006 (1) Three hundred fifteen dollars if such licensee reports to the
1007 department, in a form and manner prescribed by the department, that
1008 such real estate licensee failed to satisfy such continuing education
1009 requirements during such license period but completed such continuing
1010 education requirements not later than two months after such license
1011 period expired; or

1012 (2) Six hundred twenty-five dollars if such licensee reports to the
1013 department, in a form and manner prescribed by the department, that
1014 such real estate licensee failed to satisfy such continuing education
1015 requirements during such license period but completed such continuing
1016 education requirements more than two months after such license period
1017 expired but not later than four months after such license period expired.

1018 Sec. 16. Section 20-319a of the general statutes is repealed and the
1019 following is substituted in lieu thereof (*Effective April 1, 2024*):

1020 (a) [Any] Each licensed real estate salesperson, associate broker or
1021 leasing agent who transfers [his employment from one broker to another
1022 or his] such real estate salesperson's, associate broker's or leasing agent's

1023 affiliation with a broker [as an independent contractor] or property
1024 owner shall register such transfer with, and pay a registration fee of
1025 twenty-five dollars to, the [commission] department.

1026 (b) A fee of twenty-five dollars shall be paid to the [commission]
1027 department for the issuance of a license certification.

1028 (c) A fee of twenty-five dollars shall be paid to the [Department of
1029 Consumer Protection] department for any change made to, or transfer
1030 of, a team's registration after the team files an initial registration with
1031 the department pursuant to [subdivision (1) of] subsection (e) of section
1032 20-312, as amended by this act.

1033 (d) If a team transfers to a new supervising licensee, the new
1034 supervising licensee shall electronically update the team's registration
1035 information with the department not later than fourteen calendar days
1036 after such transfer.

1037 Sec. 17. Section 20-320 of the general statutes is repealed and the
1038 following is substituted in lieu thereof (*Effective April 1, 2024*):

1039 (a) The [Department of Consumer Protection] department may [,
1040 upon the request of the commission or upon the verified complaint in
1041 writing of any person, if such complaint, or such complaint together
1042 with evidence, documentary or otherwise, presented in connection with
1043 such complaint, shall make out a prima facie case,] investigate the
1044 actions of any [real estate broker or real estate salesperson or any person
1045 who assumes to act in any of such capacities] person who engages in the
1046 real estate business or offers real estate courses within this state. The
1047 commission or department may temporarily suspend or permanently
1048 revoke any license or registration issued under the provisions of this
1049 chapter and, in addition to or in lieu of such suspension or revocation,
1050 may, in [its] the commission's or department's discretion, impose a fine
1051 of not more than [two] five thousand dollars per violation at any time
1052 when, after proceedings as provided in section 20-321, the commission
1053 or department finds that the real estate licensee has by false or

1054 fraudulent misrepresentation obtained a license or registration or that
1055 the real estate licensee [is guilty of any of the following] has: (1)
1056 [Making] Made any material misrepresentation; (2) [making] made any
1057 false promise of a character likely to influence, persuade or induce; (3)
1058 [acting] acted as an agent for more than one party in a transaction
1059 without the knowledge of all parties for whom the real estate licensee
1060 [acts] acted; (4) [representing or attempting] represented, or attempted
1061 to represent, a real estate broker, other than the real estate licensee's
1062 [employer or the broker with whom the licensee is affiliated] affiliated
1063 or supervising licensee, without the express knowledge and consent of
1064 [the] such real estate licensee's [employer or] affiliated [broker] or
1065 supervising licensee; (5) [failing] failed, within a reasonable time, to
1066 account for or remit any moneys [coming] which came into the real
1067 estate licensee's possession and which belong to others; (6) [entering]
1068 entered into an exclusive listing contract or buyer agency contract which
1069 contains a fixed termination date if such contract also provides for an
1070 automatic continuation of the period of such contract beyond such date;
1071 (7) [failing] failed to deliver immediately a copy of any instrument to
1072 any party or parties executing [the] such instrument, where such
1073 instrument has been prepared by the real estate licensee or under [the]
1074 such real estate licensee's supervision and where such instrument
1075 relates to the employment of [the] such real estate licensee or to any
1076 matters pertaining to the consummation of a lease, or the purchase, sale
1077 or exchange of real property or any other type of real estate transaction
1078 in which [the] such real estate licensee may participate as a [broker or a
1079 salesperson] real estate licensee; (8) [conviction] been convicted, in a
1080 court of competent jurisdiction, of forgery, embezzlement, obtaining
1081 money under false pretenses, larceny, extortion, conspiracy to defraud
1082 [or other like] or a similar offense, [or offenses,] provided suspension
1083 or revocation under this subdivision shall be subject to the provisions of
1084 section 46a-80; (9) [collecting] collected compensation or a commission
1085 in advance of services to be performed and [failing] failed, upon
1086 demand of the person [paying the] who paid such compensation or [the]
1087 commission, to render an accounting of the use of such [money]
1088 compensation or commission; (10) [commingling] commingled funds of

1089 others with the real estate licensee's own funds, or ~~[failing]~~ failed to keep
1090 funds of others in an escrow or ~~[trustee]~~ trust account; (11) engaged in
1091 any act or conduct which constitutes dishonest, fraudulent or improper
1092 dealings; (12) ~~[failing]~~ failed to provide the disclosures required by
1093 section 20-325c, ~~;~~ as amended by this act; or (13) ~~[a violation of]~~ violated
1094 any provision of this chapter or any regulation adopted under this
1095 chapter. ~~[Any such suspension or revocation of a license or imposition~~
1096 ~~of a fine by the commission shall be a proposed final decision and~~
1097 ~~submitted to the commissioner in accordance with the provisions of~~
1098 ~~subsection (b) of section 21a-7.] Any fine collected pursuant to this~~
1099 ~~section shall be deposited in the Real Estate Guaranty Fund established~~
1100 ~~pursuant to section 20-324a, as amended by this act.~~

1101 (b) No person shall be relieved of responsibility for the conduct or
1102 actions of such person's agents, employees or officers by reason of such
1103 person's compliance with the provisions of this chapter. No person who
1104 engages in the real estate business shall be relieved of responsibility for
1105 such person's own conduct or actions by reason of such person's
1106 employment by, or association with, any real estate licensee or
1107 development owner.

1108 Sec. 18. Section 20-320a of the general statutes is repealed and the
1109 following is substituted in lieu thereof (*Effective April 1, 2024*):

1110 ~~[(a)]~~ No real estate ~~[broker or real estate salesperson]~~ licensee, no
1111 person affiliated with ~~[such broker or salesperson]~~ a real estate licensee,
1112 and no person engaging in the real estate business may receive a fee,
1113 commission or other form of referral fee for the referral of any buyer of
1114 real property to (1) an attorney-at-law admitted to practice in this state
1115 or any person affiliated with such attorney or (2) any mortgage broker,
1116 any lender, as defined in subdivision (5) of section 49-31d, or any person
1117 affiliated with such mortgage broker or lender.

1118 ~~[(b)]~~ The Department of Consumer Protection may, upon the request
1119 of the commission or upon the verified complaint in writing of any
1120 person, if such complaint, or such complaint together with evidence,

1121 documentary or otherwise, presented in connection with such
1122 complaint, shall make out a prima facie case, investigate the actions of
1123 any real estate broker or real estate salesperson or any person who
1124 assumes to act in any of such capacities within this state. The
1125 commission may temporarily suspend or permanently revoke any
1126 license issued under the provisions of this chapter, and, in addition to
1127 or in lieu of such suspension or revocation, may, in its discretion, impose
1128 a fine of not more than one thousand dollars for the first offense at any
1129 time when, after proceedings as provided in section 20-321, the
1130 commission finds that the licensee is guilty of violating any of the
1131 provisions of subsection (a) of this section. Any such suspension or
1132 revocation of a license or imposition of a fine by the commission shall
1133 be a proposed final decision and submitted to the commissioner in
1134 accordance with the provisions of subsection (b) of section 21a-7.]

1135 Sec. 19. Subsection (a) of section 20-320b of the general statutes is
1136 repealed and the following is substituted in lieu thereof (*Effective April*
1137 *1, 2024*):

1138 (a) A real estate [broker or real estate salesperson licensed under this
1139 chapter] licensee shall not influence residential real estate appraisals.
1140 [For the purposes of this section, "influence residential real estate
1141 appraisals" includes, but is not limited to, refusal or intentional failure
1142 to refer a homebuyer, or encouraging other real estate brokers or real
1143 estate salespersons not to refer a homebuyer, to a mortgage broker, as
1144 defined in section 36a-760, or a lender, as defined in section 36a-760,
1145 based solely on the fact that the mortgage broker or lender uses an
1146 appraiser who has provided an appraisal reflecting a fair market value
1147 estimate that was less than the sale contract price.]

1148 Sec. 20. Section 20-323 of the general statutes is repealed and the
1149 following is substituted in lieu thereof (*Effective April 1, 2024*):

1150 Any real estate licensee under this chapter who is convicted of a
1151 violation of any of the offenses enumerated in subdivision (8) of
1152 subsection (a) of section 20-320, as amended by this act, may incur a

1153 forfeiture of [his or her] such real estate licensee's license and all moneys
1154 that may have been paid for such license. The clerk of any court in which
1155 such conviction has been rendered shall forward to the commission
1156 without charge a certified copy of such conviction. The [commissioner]
1157 Commissioner of Consumer Protection may revoke such licensee's
1158 license after proceedings as provided in section 20-321. Such notice shall
1159 be conclusive of the revocation of such license. Application for
1160 reinstatement of such license shall be subject to the provisions of section
1161 46a-80.

1162 Sec. 21. Section 20-324a of the general statutes is repealed and the
1163 following is substituted in lieu thereof (*Effective April 1, 2024*):

1164 The commission shall establish and maintain a Real Estate Guaranty
1165 Fund from which, subject to the provisions of this section and sections
1166 [20-324a] 20-324b to [20-324j] 20-324i, inclusive, as amended by this act,
1167 any person aggrieved by any action of a real estate [broker or real estate
1168 salesperson] licensee, duly licensed in this state under section 20-312, as
1169 amended by this act, by reason of the embezzlement of money or
1170 property, or money or property unlawfully obtained from any person
1171 by false pretenses, artifice or forgery or by reason of any fraud,
1172 misrepresentation or deceit by or on the part of any such real estate
1173 [broker or real estate salesperson] licensee or the unlicensed employee
1174 of any such real estate [broker] licensee, may recover, upon approval by
1175 the commission of an application brought pursuant to the provisions of
1176 section 20-324e, as amended by this act, compensation in an amount not
1177 exceeding in the aggregate the sum of twenty-five thousand dollars in
1178 connection with any one real estate transaction or claim, regardless of
1179 the number of persons aggrieved or parcels of real estate involved in
1180 such real estate transaction or claim.

1181 Sec. 22. Section 20-324b of the general statutes is repealed and the
1182 following is substituted in lieu thereof (*Effective April 1, 2024*):

1183 [Any person who receives a real estate broker's or real estate
1184 salesperson's license under this chapter for the first time shall] Each real

1185 estate licensee shall, upon application for a license under this chapter,
1186 pay an additional one-time fee of twenty dollars in addition to all other
1187 fees payable, which additional fee shall be credited to the Real Estate
1188 Guaranty Fund. The Real Estate Guaranty Fund shall also be credited as
1189 provided in sections 20-314, as amended by this act, and 20-320, as
1190 amended by this act.

1191 Sec. 23. Section 20-324d of the general statutes is repealed and the
1192 following is substituted in lieu thereof (*Effective April 1, 2024*):

1193 No application to recover compensation under sections 20-324a to
1194 [20-324j] 20-324i, inclusive, as amended by this act, which might
1195 subsequently result in an order for collection from the Real Estate
1196 Guaranty Fund shall be brought later than two years from the final
1197 determination of, or expiration of time for appeal in connection with,
1198 any judgment.

1199 Sec. 24. Subsections (a) to (f), inclusive, of section 20-324e of the
1200 general statutes are repealed and the following is substituted in lieu
1201 thereof (*Effective April 1, 2024*):

1202 (a) When any aggrieved person commences any action for a
1203 judgment which may result in collection from the Real Estate Guaranty
1204 Fund, the aggrieved person shall notify the commission or department
1205 in writing to this effect at the time of the commencement of such action.
1206 Such written notice shall toll the time for making application to the
1207 commission pursuant to section 20-324d, as amended by this act. The
1208 commission or department shall have the right to enter an appearance,
1209 intervene in or defend any such action and may waive the required
1210 written notice for good cause shown.

1211 (b) When any aggrieved person recovers a valid judgment in the
1212 Superior Court against any real estate [broker or real estate salesperson]
1213 licensee or the unlicensed employee of any such real estate [broker]
1214 licensee for loss or damages sustained by reason of the embezzlement
1215 of money or property, or money or property unlawfully obtained from

1216 any person by false pretenses, artifice or forgery or by reason of any
1217 fraud, misrepresentation or deceit by or on the part of such real estate
1218 [broker or salesperson] licensee or the unlicensed employee of any such
1219 real estate broker, such aggrieved person may upon the final
1220 determination of, or expiration of time for appeal in connection with,
1221 any judgment, apply to the commission for an order directing payment
1222 out of the Real Estate Guaranty Fund of the amount unpaid upon the
1223 judgment, subject to the limitations stated in section 20-324a, as
1224 amended by this act, and the limitations specified in this section.

1225 (c) The commission shall proceed upon such application in a
1226 summary manner, and, upon the hearing thereof, the aggrieved person
1227 shall be required to show that: (1) [He] Such aggrieved person is not a
1228 spouse of the debtor or the personal representative of such spouse; (2)
1229 [he] such aggrieved person has complied with all the requirements of
1230 this section; (3) [he] such aggrieved person has obtained a judgment as
1231 provided in subsection (b) of this section, stating the amount thereof and
1232 the amount owing thereon at the date of the application; (4) [he] such
1233 aggrieved person has caused to be issued a writ of execution upon the
1234 judgment and the officer executing the same has made a return showing
1235 that no personal or real property of the judgment debtor liable to be
1236 levied upon in satisfaction of the judgment could be found, or that the
1237 amount realized on the sale of them or of such of them as were found,
1238 under the execution, was insufficient to satisfy the judgment, stating the
1239 amount so realized and the balance remaining due on the judgment
1240 after application thereon of the amount realized; (5) [he] such aggrieved
1241 person has made all reasonable searches and inquiries to ascertain
1242 whether the judgment debtor possesses real or personal property or
1243 other assets, liable to be sold or applied in satisfaction of the judgment;
1244 and (6) that by such search [he] such aggrieved person has discovered
1245 no personal or real property or other assets liable to be sold or applied,
1246 or that [he] such aggrieved person has discovered certain of them,
1247 describing them, owned by the judgment debtor and liable to be so
1248 applied, and that [he] such aggrieved person has taken all necessary
1249 action and proceedings for the realization thereof, and that the amount

1250 thereby realized was insufficient to satisfy the judgment, stating the
1251 amount so realized and the balance remaining due on the judgment
1252 after application of the amount realized.

1253 (d) Whenever the aggrieved person satisfies the commission that it is
1254 not practicable to comply with one or more of the requirements
1255 enumerated in subdivisions (4), (5) and (6) of subsection (c) of this
1256 section and that [the] such aggrieved person has taken all reasonable
1257 steps to collect the amount of the judgment or the unsatisfied part
1258 thereof and has been unable to collect the same, the commission may in
1259 its discretion waive such requirements.

1260 (e) The commission shall order payment from the Real Estate
1261 Guaranty Fund of any sum it shall find to be payable upon the claim,
1262 pursuant to the provisions of and in accordance with the limitations
1263 contained in this section and section 20-324a, as amended by this act, if
1264 the commission is satisfied, upon the hearing, of the truth of all matters
1265 required to be shown by the aggrieved person by subsection (c) of this
1266 section and that [the] such aggrieved person has fully pursued and
1267 exhausted all remedies available to [him] such aggrieved person for
1268 recovering the amount awarded by the judgment of the court.

1269 (f) If the commission pays from the Real Estate Guaranty Fund any
1270 amount in settlement of a claim or toward satisfaction of a judgment
1271 against a [licensed real estate broker or real estate salesperson] real
1272 estate licensee pursuant to an order under subsection (e) of this section,
1273 such [broker or salesperson] real estate licensee shall not be eligible to
1274 receive a new license until [he] such real estate licensee has repaid in
1275 full, plus interest at a rate to be determined by the commission and
1276 which shall reflect current market rates, the amount paid from the fund
1277 on [his] such real estate licensee's account. A discharge in bankruptcy
1278 shall not relieve a person from the penalties and disabilities provided in
1279 this subsection.

1280 Sec. 25. Section 20-324i of the general statutes is repealed and the
1281 following is substituted in lieu thereof (*Effective April 1, 2024*):

1282 The Commissioner of Consumer Protection, with the advice and
1283 assistance of the commission, may adopt regulations, in accordance
1284 with chapter 54, to carry out the provisions of sections 20-324a to [20-
1285 324j] 20-324h, inclusive, as amended by this act.

1286 Sec. 26. Section 20-325 of the general statutes is repealed and the
1287 following is substituted in lieu thereof (*Effective April 1, 2024*):

1288 Any person who engages in the real estate business [of a real estate
1289 broker or real estate salesperson] without obtaining a license as
1290 provided in this chapter shall be fined not more than one thousand
1291 dollars per violation or imprisoned not more than six months or both,
1292 and shall be ineligible to obtain a license for one year from the date of
1293 conviction of such offense, except that the commission or Commissioner
1294 of Consumer Protection may grant a license to such person within such
1295 one-year period upon application and after a hearing on such
1296 application.

1297 Sec. 27. Subsection (a) of section 20-325a of the general statutes is
1298 repealed and the following is substituted in lieu thereof (*Effective April*
1299 *1, 2024*):

1300 (a) [No] Except for an out-of-state real estate licensee who is an
1301 individual and seeking to recover agreed compensation authorized
1302 under subsection (e) of section 20-325l, as amended by this act, no
1303 person who is not licensed under the provisions of this chapter, and who
1304 was not so licensed at the time the person performed the acts or
1305 rendered the services for which recovery is sought, shall commence or
1306 bring any action in any court of this state, after October 1, 1971, to
1307 recover any commission, compensation or other payment with respect
1308 to any act done or service rendered by the person, the doing or
1309 rendering of which is prohibited under the provisions of this chapter
1310 except by persons duly licensed under this chapter.

1311 Sec. 28. Section 20-325c of the general statutes is repealed and the
1312 following is substituted in lieu thereof (*Effective April 1, 2024*):

1313 [(a) As used in this section "residential real property" means one to
1314 four-family residential real estate located in this state.]

1315 [(b)] (a) Notwithstanding any provision of the general statutes, [to the
1316 contrary,] no real estate [broker or real estate salesperson] licensee, other
1317 than a leasing agent, and no person affiliated with such [broker or
1318 salesperson] real estate licensee, who receives a fee, commission or other
1319 valuable consideration for the sale of residential real property, may
1320 receive a fee, commission or other valuable consideration for
1321 negotiating, soliciting, arranging, placing or finding a first mortgage
1322 loan for the buyer in connection with the same sale unless disclosure is
1323 made in accordance with the provisions of subsection [(c)] (b) of this
1324 section. Any fee, commission or other valuable consideration received
1325 by such [broker or salesperson] real estate licensee for negotiating,
1326 soliciting, arranging, placing or finding a first mortgage loan shall (1) be
1327 related to the services actually performed, as determined by the Banking
1328 Commissioner by regulations adopted pursuant to chapter 54, (2) not be
1329 imposed for the referral of the buyer to the mortgage lender by such
1330 [broker or salesperson] real estate licensee, and (3) be paid directly to
1331 [the broker or salesperson] such real estate licensee by the buyer rather
1332 than from the mortgage loan proceeds at the time of closing.

1333 [(c)] (b) Any disclosure made pursuant to subsection [(b)] (a) of this
1334 section shall be made to and acknowledged by the buyer prior to the
1335 time the buyer signs a contract with the real estate [broker or
1336 salesperson] licensee for mortgage brokering services. Such disclosure
1337 shall include the following notice printed in at least ten-point boldface
1338 capital letters:

1339 I UNDERSTAND THAT THE REAL ESTATE BROKER OR
1340 SALESPERSON IN THIS TRANSACTION HAS OFFERED TO ASSIST
1341 ME IN FINDING A MORTGAGE LOAN. ADDITIONALLY, I
1342 UNDERSTAND THAT THIS REAL ESTATE BROKER OR
1343 SALESPERSON DOES NOT REPRESENT ANY PARTICULAR
1344 MORTGAGE LENDER AND WILL ATTEMPT TO OBTAIN THE BEST
1345 TERMS AVAILABLE WITHIN THE MORTGAGE LOAN MARKET

1346 FOR MY SPECIFIC HOME FINANCING NEEDS. IF THE REAL
1347 ESTATE BROKER OR SALESPERSON DOES NOT FULFILL HIS
1348 FIDUCIARY OBLIGATION I MAY FILE A COMPLAINT WITH THE
1349 DEPARTMENT OF BANKING. I ALSO UNDERSTAND THAT I MAY
1350 ATTEMPT TO FIND A MORTGAGE LOAN TO FINANCE THE
1351 PURCHASE OF MY HOME WITHOUT THE ASSISTANCE OF THE
1352 REAL ESTATE BROKER OR SALESPERSON IN WHICH CASE I WILL
1353 NOT BE OBLIGATED TO PAY A FEE TO THE REAL ESTATE BROKER
1354 OR SALESPERSON.

1355 [(d)] (c) No mortgage lender may refuse to close a mortgage loan
1356 secured by residential real property because the buyer has not paid a
1357 fee, commission or other valuable consideration to a real estate [broker
1358 or salesperson] licensee for negotiating, soliciting, arranging, placing or
1359 finding the first mortgage loan.

1360 Sec. 29. Section 20-325d of the general statutes is repealed and the
1361 following is substituted in lieu thereof (*Effective April 1, 2024*):

1362 (a) [On and after January 1, 2018, a real estate broker or real estate
1363 salesperson licensed under this chapter] A real estate licensee who
1364 represents a seller, lessor, prospective purchaser or lessee in a real estate
1365 transaction shall, upon request, disclose [,] in writing [,] the identity of
1366 [his or her] the real estate licensee's client to any party to the transaction
1367 who is not represented by another real estate [broker or real estate
1368 salesperson licensed under this chapter. The real estate broker or real
1369 estate salesperson shall make the disclosure required under this section:
1370 (1) If the transaction concerns residential real property, as defined in
1371 section 20-325c, (A) at the beginning of the first personal meeting
1372 concerning the prospective purchaser's or lessee's specific needs in the
1373 transaction, or (B) at the beginning of the first personal meeting with the
1374 seller or lessor concerning the seller's or lessor's real property; or (2) if
1375 the transaction is a commercial real estate transaction, as defined in
1376 section 20-311, before the prospective purchaser or lessee signs the
1377 purchase contract or lease. Such disclosure shall be signed by a
1378 prospective purchaser or lessee and attached to any offer or agreement

1379 to purchase or lease signed by a prospective purchaser or lessee]
1380 licensee.

1381 (b) Not later than the first personal meeting, a real estate licensee
1382 shall: (1) Disclose in writing to a prospective party (A) the types of
1383 agency relationships available to the prospective party, and (B) that the
1384 prospective party should not share confidential information with the
1385 real estate licensee until such prospective party has entered into a
1386 written representation agreement with such real estate licensee; and (2)
1387 for residential real estate transactions, provide to a prospective party
1388 information on fair housing discrimination, including a description of
1389 federal and state fair housing laws, protected classes, where to obtain
1390 additional information and available resources. The disclosures
1391 required pursuant to this subsection may be delivered electronically to
1392 the prospective party.

1393 (c) The Commissioner of Consumer Protection shall adopt such
1394 regulations, in accordance with chapter 54, as the commissioner deems
1395 necessary to carry out the provisions of this section.

1396 Sec. 30. Section 20-325f of the general statutes is repealed and the
1397 following is substituted in lieu thereof (*Effective April 1, 2024*):

1398 No real estate broker shall make any unilateral offer of subagency or
1399 agree to compensate, appoint, employ, cooperate with or otherwise
1400 affiliate with a subagent for the sale or purchase of real property.
1401 [without the informed written consent of the person whom the real
1402 estate broker represents. Such written consent shall contain the name
1403 and real estate license number of the real estate broker to be appointed
1404 as the subagent and shall contain a statement notifying the person
1405 whom the real estate broker represents that the law imposes vicarious
1406 liability on the principal for the acts of the subagent.]

1407 Sec. 31. Section 20-325h of the general statutes is repealed and the
1408 following is substituted in lieu thereof (*Effective April 1, 2024*):

1409 [(a)] No real estate licensee shall: (1) Reveal any confidential

1410 information concerning a prospective party or a person whom the real
1411 estate licensee represented either as an agent, designated buyer agent or
1412 [a] designated seller agent; (2) use any confidential information
1413 concerning [that] such prospective party or person to [the] such
1414 prospective party's or person's disadvantage; or (3) use any confidential
1415 information concerning [that] such prospective party or person for [the]
1416 such real estate [broker's or real estate salesperson's] licensee's
1417 advantage or the advantage of a third party, except (A) as required by
1418 legal process, (B) as necessary to defend [the] such real estate [broker or
1419 real estate salesperson] licensee from allegations of wrongful or
1420 negligent conduct, or (C) as necessary to prevent the commission of a
1421 crime.

1422 [(b) As used in this section, "confidential information" means facts
1423 concerning a person's assets, liabilities, income, expenses, motivations
1424 to purchase, rent or sell real property and previous offers received or
1425 made to purchase or lease real property which are not authorized by the
1426 client, a matter of general knowledge, part of a public record or file to
1427 which access is authorized pursuant to section 1-210 or otherwise
1428 subject to disclosure under any other provision of the general statutes
1429 or any regulation of Connecticut state agencies.]

1430 Sec. 32. Section 20-325l of the general statutes is repealed and the
1431 following is substituted in lieu thereof (*Effective April 1, 2024*):

1432 [(a) As used in this section: (1) "Licensed broker" means a person
1433 licensed under this chapter as a real estate broker, (2) "licensed
1434 salesperson" means a person licensed under this chapter as a real estate
1435 salesperson, (3) "out-of-state broker" means a person licensed in another
1436 state as a real estate broker who is not licensed as a real estate broker
1437 under this chapter, (4) "out-of-state salesperson" means a person
1438 licensed in another state as a real estate salesperson who is not licensed
1439 as a real estate salesperson under this chapter, (5) "person" means a
1440 person, as defined in section 20-311, and (6) "advertising" means
1441 advertising, as defined in section 20-329a.]

1442 [(b)] (a) An out-of-state broker may perform acts with respect to a
1443 commercial real estate transaction that require a license under this
1444 chapter, provided the out-of-state broker: [complies with the laws of this
1445 state with respect to the transaction and:]

1446 (1) Works in cooperation with a licensed broker, whether in a
1447 cobrokerage, referral or other cooperative agreement or arrangement;

1448 (2) Enters into a written agreement with a licensed broker that
1449 includes the terms of cooperation and any compensation to be paid by
1450 the licensed broker and a statement that the out-of-state broker and the
1451 out-of-state broker's agents will comply with the laws of this state;

1452 (3) Provides the licensed broker a copy of the out-of-state broker's
1453 license or other proof of licensure from the [jurisdictions] states where
1454 the out-of-state broker maintains a license as a real estate broker; [and]

1455 (4) Deposits all escrow funds, security deposits, and other money
1456 received pursuant to the commercial real estate transaction to be held as
1457 provided in section 20-324k unless the agreement required in
1458 subdivision (2) of this subsection specifies otherwise; [.]

1459 (5) Complies with the laws of this state with respect to the transaction;
1460 and

1461 (6) Is credentialled as a real estate broker in another state.

1462 [(c)] (b) An out-of-state salesperson may perform acts with respect to
1463 a commercial real estate transaction that require a license as a real estate
1464 salesperson under this chapter, provided the out-of-state salesperson
1465 complies with the laws of this state with respect to the transaction and:

1466 (1) Works under the direct supervision of an out-of-state broker who
1467 meets the requirements set forth in [subdivision (1)] subdivisions (1), (5)
1468 and (6) of subsection [(b)] (a) of this section; and

1469 (2) Provides the licensed broker who is working in cooperation with

1470 the out-of-state broker a copy of the out-of-state salesperson's license or
1471 other proof of licensure from the [jurisdictions] states where the out-of-
1472 state salesperson maintains a license as a real estate salesperson.

1473 [(d)] (c) Any out-of-state broker or out-of-state salesperson licensed
1474 in a state that has no distinction between a real estate broker license and
1475 a real estate salesperson license shall be subject to the requirements of
1476 subsection [(b)] (a) of this section with regard to any commercial real
1477 estate transaction in this state.

1478 [(e)] (d) Each out-of-state broker or out-of-state salesperson that
1479 advertises for sale commercial real estate pursuant to this section shall
1480 include in any advertising material the name of the licensed broker with
1481 whom the out-of-state broker has a written agreement pursuant to
1482 subdivision (2) of subsection [(b)] (a) of this section. Nothing in this
1483 section shall permit an out-of-state broker or out-of-state salesperson to
1484 accompany a prospective buyer at the site of commercial real estate
1485 pursuant to a real estate transaction in this state.

1486 (e) An out-of-state real estate licensee, other than an out-of-state
1487 leasing agent, may receive compensation for referring to a real estate
1488 licensee in this state a prospective party to a real estate transaction in
1489 this state.

1490 Sec. 33. Section 20-325m of the general statutes is repealed and the
1491 following is substituted in lieu thereof (*Effective April 1, 2024*):

1492 (a) Any real estate broker licensed under the provisions of this
1493 chapter who engages in the real estate business [, as defined in section
1494 20-311,] shall retain the following records for a period of not less than
1495 seven years after any real estate transaction closes, all funds held in
1496 escrow for such transaction are disbursed or the listing agreement or
1497 buyer or tenant representation agreement expires, whichever occurs
1498 later: (1) All purchase contracts, leases, options, written offers or
1499 counteroffers drafted by such broker or on behalf of such broker; (2) the
1500 listing agreement or buyer or tenant representation agreement, any

1501 extensions of or amendments to such agreements and any disclosures
1502 or agreements required pursuant to sections 20-325a to 20-325l,
1503 inclusive, as amended by this act; and (3) all canceled checks, unused
1504 checks, checkbooks and bank statements for any escrow or trust account
1505 maintained pursuant to section 20-324k. [Such]

1506 (b) Each leasing agent licensed under the provisions of this chapter
1507 shall retain copies of such leasing agent's employment agreement or
1508 contract with a development owner for a period of not less than seven
1509 years.

1510 (c) All records [may] required under subsection (a) or (b) of this
1511 section shall be retained in [any format, electronic or otherwise,] an
1512 electronic format that is capable of producing an accurate copy of the
1513 original documents unless it is commercially impractical for a real estate
1514 broker or leasing agent to retain such records in such format. If it is
1515 commercially impractical for a real estate broker or leasing agent to
1516 retain such records in an electronic format, the real estate broker or
1517 leasing agent shall retain such records in a paper format that is capable
1518 of producing an accurate copy [in paper format] of the original
1519 [document] documents. Each real estate broker or leasing agent shall
1520 make such records available to the department upon any request made
1521 by the department for such records.

1522 Sec. 34. Section 20-327c of the general statutes is repealed and the
1523 following is substituted in lieu thereof (*Effective April 1, 2024*):

1524 (a) On or after January 1, 1996, every agreement to purchase
1525 residential real estate, for which a written residential condition report
1526 is, or written residential condition reports are, required pursuant to
1527 section 20-327b, shall include a requirement that the seller credit the
1528 purchaser with the sum of five hundred dollars at closing should the
1529 seller fail to furnish the written residential condition report or reports as
1530 required by sections 20-327b to 20-327e, inclusive.

1531 (b) [(1)] No seller who credits a purchaser pursuant to subsection (a)

1532 of this section shall, by reason of such credit, be excused from disclosing
1533 to the purchaser any defect in the residential real estate if such defect:

1534 [(A)] (1) Is subject to disclosure pursuant to section 20-327b;

1535 [(B)] (2) Is within the seller's actual knowledge of such residential real
1536 estate; and

1537 [(C)] (3) Significantly impairs [(i)] (A) the value of such residential
1538 real estate, [(ii)] (B) the health or safety of future occupants of such
1539 residential real estate, or [(iii)] (C) the useful life of such residential real
1540 estate.

1541 [(2)] (c) A purchaser may, without limiting any other remedies
1542 available to the purchaser, bring a civil action in the judicial district in
1543 which the residential real estate is located to recover actual damages
1544 from a seller who fails to disclose to such purchaser any defect described
1545 in [subdivision (1) of this subsection to such purchaser] subsection (b)
1546 of this section.

1547 Sec. 35. Subsections (a) and (b) of section 20-327f of the general
1548 statutes are repealed and the following is substituted in lieu thereof
1549 (*Effective April 1, 2024*):

1550 (a) With respect to a contract for the sale of [a one-to-four family]
1551 residential real property, if the seller provides written notice to the
1552 purchaser, prior to, or upon, entering into the contract, of the availability
1553 of the lists of hazardous waste facilities pursuant to section 22a-134f, the
1554 seller and any real estate licensee shall be deemed to have fully satisfied
1555 any duty to disclose the presence of all hazardous waste facilities, as
1556 defined in section 22a-134f even if: (1) The list required to be submitted
1557 pursuant to section 22a-134f has not been submitted, (2) the list has not
1558 been received or made available as required in section 22a-134f, or (3)
1559 there is an error, omission or inaccuracy in the list.

1560 (b) With respect to a contract for the sale of [a one-to-four family]
1561 residential real property, if the seller provides written notice to the

1562 purchaser, prior to, or upon, entering into the contract, of the availability
1563 of information concerning environmental matters from the United
1564 States Environmental Protection Agency, the National Response Center,
1565 the United States Department of Defense and third-party providers, the
1566 seller and any real estate licensee shall be deemed to have fully satisfied
1567 any duty to disclose environmental matters concerning properties other
1568 than the property that is the subject of the contract.

1569 Sec. 36. Subsection (a) of section 20-327g of the general statutes is
1570 repealed and the following is substituted in lieu thereof (*Effective April*
1571 *1, 2024*):

1572 (a) With respect to a contract for the sale of [a one-to-four family]
1573 residential real property, if the seller provides written notice to the
1574 purchaser, prior to, or upon, entering into the contract, that a list of local
1575 properties upon which hunting or shooting sports regularly take place
1576 may be available at the office of the town clerk, the seller and any real
1577 estate licensee shall be deemed to have fully satisfied any duty to
1578 disclose the presence of local properties upon which hunting or
1579 shooting sports regularly take place, even if (1) the list is not available
1580 at the office of the town clerk, or (2) there is an error, omission or
1581 inaccuracy in the list.

1582 Sec. 37. Subsection (b) of section 20-327h of the general statutes is
1583 repealed and the following is substituted in lieu thereof (*Effective April*
1584 *1, 2024*):

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

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 live at such property and are employed
1610 as on-site residential superintendents, janitors or custodians, with
1611 respect to the property so owned or leased or sought to be acquired or
1612 leased when such acts are performed in the regular course of, or incident
1613 to, the management of such property and the investment therein; (2) any
1614 person acting as attorney-in-fact under a duly executed power of
1615 attorney from the owner authorizing the final consummation by
1616 performance of any contract for the sale, leasing or exchange of real
1617 estate, or to service rendered by any attorney-at-law in the performance
1618 of the attorney-at-law's duties as such attorney-at-law; (3) a receiver,
1619 trustee in bankruptcy, administrator, executor or other fiduciary, while
1620 acting as such, or any person selling real estate under order of any court,
1621 or to a trustee acting under a trust agreement, deed of trust or will, or
1622 the 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; and (10) any person who is employed by
1656 a broker to perform clerical services, which person shall not negotiate
1657 the terms of an agreement, list a property unless on behalf of a real estate
1658 licensee, open or be listed as a signatory on a broker's escrow or trust
1659 account or sell, buy or lease real property for another person for
1660 compensation.

1661 Sec. 40. Section 20-329a of the general statutes is repealed and the
1662 following is substituted in lieu thereof (*Effective April 1, 2024*):

1663 As used in this section and sections [20-329a] 20-329b to 20-329n,
1664 inclusive, as amended by this act:

1665 (1) "Disposition" or "dispose of" means any sale, exchange, lease,
1666 assignment, award by lottery or other transaction designed to convey
1667 an interest in a subdivision or parcel, lot, or unit in a subdivision when
1668 undertaken for gain or profit;

1669 (2) "Offer" means every inducement, solicitation or attempt to bring
1670 about a disposition;

1671 (3) "Person" means an individual, firm, company, association,
1672 corporation, limited liability company, government or governmental
1673 subdivision or agency, business trust, estate, trust, partnership,
1674 unincorporated association or organization, two or more of any of the
1675 foregoing having a joint or common interest, or any other legal or
1676 commercial entity;

1677 (4) "Broker" means a resident real estate broker duly licensed under
1678 this chapter;

1679 (5) "Salesperson" means any person duly licensed as a real estate
1680 salesperson under this chapter;

1681 (6) "Purchaser" means a person who acquires an interest in any lot,
1682 parcel or unit in a subdivision; and

1683 (7) "Subdivision" means any improved or unimproved land or tract
1684 of land located outside this state which is divided or proposed to be
1685 divided into five or more lots, parcels, units, or interests for the purpose
1686 of disposition, at any time as part of a common promotional plan. Any
1687 land which is under common ownership or which is controlled by a
1688 single developer or a group of developers acting in concert, is
1689 contiguous in area, and is designated or advertised as a common unit or

1690 known by a common name, shall be presumed, without regard to the
1691 number of lots, parcels, units or interests covered by each individual
1692 offering, to be part of a common promotional plan. [; and]

1693 [(8) "Advertising" means publishing or causing to be published: (A)
1694 By means of any newspaper or periodical; (B) by means of any radio or
1695 television broadcast; (C) by means of any written or printed or
1696 photographic matter produced by any duplicating process producing
1697 ten copies or more, any information offering for sale or for the purpose
1698 of causing or inducing any other person to purchase or to acquire an
1699 interest in the title to subdivided lands, including the land sales contract
1700 to be used and any photographs or drawings or artist's representations
1701 of physical conditions or facilities on the property existing or to exist; or
1702 (D) by means of any material used in connection with the disposition or
1703 offer of subdivided lands by radio, television, telephone or any other
1704 electronic means. "Advertising" does not include: Stockholder
1705 communications such as annual reports and interim financial reports,
1706 proxy materials, registration statements, securities prospectuses,
1707 applications for listing securities on stock exchanges, and the like;
1708 prospectuses, property reports, offering statements or other documents
1709 required to be delivered to prospective purchasers by an agency of any
1710 other state or the federal government; all communications addressed to
1711 and relating to the account of any persons who have previously
1712 executed a contract for the purchase of the subdivider's lands except
1713 where directed to the sale of additional lands; or press releases or other
1714 communications delivered to newspapers or other periodicals for
1715 general information or public relations purposes, provided no charge is
1716 made by such newspapers or other periodicals for the publication or use
1717 of any part of such communications.]

1718 Sec. 41. Section 20-329n of the general statutes is repealed and the
1719 following is substituted in lieu thereof (*Effective April 1, 2024*):

1720 All moneys paid or advanced by a purchaser or lessee or prospective
1721 purchaser or prospective lessee for any lot, parcel, unit or interest in any
1722 subdivision, the disposition of which is controlled by sections 20-329a₂

1723 as amended by this act, 20-329b, 20-329d, 20-329e, 20-329f [,] and 20-
1724 329h₂ [and 20-329i₁] or such portion of such moneys as the commission
1725 may determine is sufficient for the protection of the interests of such
1726 purchaser or lessee shall be deposited by the seller or lessor in an escrow
1727 account, approved by the commission, in a bank doing business in this
1728 state. Such money shall remain in such escrow account until (1) a proper
1729 and valid release is obtained for such money, (2) the owner or
1730 subdivider or the purchaser or lessee has defaulted under their contract
1731 for sale or lease and the commission or a court has made a determination
1732 as to the disposition of such money, or (3) the owner or subdivider or
1733 the seller or lessor orders the return of such money to such purchaser or
1734 lessee.

1735 Sec. 42. Subsection (c) of section 47-90a of the general statutes is
1736 repealed and the following is substituted in lieu thereof (*Effective April*
1737 *1, 2024*):

1738 (c) Every person who directly or indirectly controls a declarant liable
1739 under subsection (a) of this section, every general partner, officer or
1740 director of a declarant and every person occupying a similar status or
1741 performing a similar function, every employee of the declarant who
1742 materially aids in the disposition, and every agent who materially aids
1743 in the disposition is also liable jointly and severally with and to the same
1744 extent as the declarant, provided the plaintiff sustains the burden of
1745 proof that such person knew or, in the exercise of reasonable care
1746 expected by such persons in the reasonable exercise of their duties,
1747 should have known of the existence of the facts by reason of which the
1748 liability is alleged to exist. There is a right to contribution in cases of
1749 contract among persons so liable. No person shall be liable under this
1750 section whose relationship to the declarant or other person consists
1751 solely of rendering professional and other customary services,
1752 including, but not limited to: (1) An attorney-at-law, architect, land
1753 surveyor or engineer; (2) a lending institution which is not a declarant
1754 whose relationship to the declarant consists solely of rendering
1755 customary banking services and holding a mortgage on all or a portion

1756 of the condominium which mortgage, or agreements or instruments
1757 relating thereto, may contain mutual covenants and agreements
1758 concerning the approval of the condominium instruments and
1759 amendments thereto, and regulates the activity of the declarant under
1760 the condominium instruments or an officer, director or employee of
1761 such lending institution; (3) a real estate broker or salesman whose
1762 relationship to the declarant consists solely of [rendering services
1763 described in subdivision (6) of] engaging in the real estate business, as
1764 defined in section 20-311, as amended by this act, and other customary
1765 services; or (4) a person whose sole involvement in the disposition of a
1766 condominium unit occurs subsequent to the date of the act or omission
1767 out of which any liability under subsection (a) of this section arises.

1768 Sec. 43. Subsection (a) of section 47-42f of the general statutes is
1769 repealed and the following is substituted in lieu thereof (*Effective April*
1770 *1, 2024*):

1771 (a) As used in this section: (1) "Residential real property" has the same
1772 meaning as provided in section [20-325c] 20-311, as amended by this act,
1773 but does not include property owned by the state or any political
1774 subdivision thereof; (2) "benefited property" or "property that benefits"
1775 includes residential real property burdened by an easement or right-of-
1776 way, the owner of which residential real property uses such easement
1777 or right-of-way; and (3) "easement" or "right-of-way" means a private
1778 appurtenant easement or right-of-way.

1779 Sec. 44. Sections 20-329i and 20-324j of the general statutes are
1780 repealed. (*Effective April 1, 2024*)

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

GL *Joint Favorable Subst.*

INS *Joint Favorable*