General Assembly **Substitute Bill No. 7078**

*January Session, 2025*

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***AN ACT CONCERNING THE REMOVAL OF UNAUTHORIZED PERSONS FROM REAL PROPERTY, CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, REQUIRING A STUDY OF RESIDENTIAL REAL PROPERTY WHOLESALING AND REVISING THE TITLE OF A REAL ESTATE SALESPERSON TO A REAL ESTATE AGENT.***

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

Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

(1) "Dwelling unit", "owner", "rental agreement" and "tenant" have the same meanings as provided in section 47a-1 of the general statutes;

(2) "Police officer" has the same meaning as provided in section 7-294a of the general statutes; and

(3) "Unauthorized person" means any individual who is unlawfully occupying real property and who is not (A) a current or former tenant of the owner of the real property, or (B) immediate family, as defined in section 1-91 of the general statutes, of the owner of the real property.

(b) Any owner of real property, or such owner's authorized agent, may request from a police officer the immediate removal of any unauthorized person pursuant to this section if:

(1) The person requesting such removal is the owner of the real

property, or such owner's authorized agent, that is being occupied by such unauthorized person;

(2) Such unauthorized person has unlawfully entered and remains or continues to reside on such owner's real property;

(3) Such owner or such owner's authorized agent has directed such unauthorized person to leave such owner's real property;

(4) Such unauthorized person cannot produce documentation, correspondence or identification cards issued by any governmental agency identifying that such unauthorized person resided on such real property during the immediately preceding twelve months;

(5) Such unauthorized person cannot produce a lease signed by such owner of real property, or such owner's authorized agent, or provide documentation of current rental payments paid by such unauthorized person to such owner, or such owner's authorized agent, to allow such unauthorized person to reside on such real property; and

(6) There is no pending litigation related to such real property between such owner of real property and such unauthorized person occupying such real property.

(c) To request the immediate removal of any unauthorized person, the owner of the real property, or such owner's authorized agent, shall submit a completed Affidavit Concerning the Removal of Persons Unlawfully Occupying A Dwelling Unit to a police officer. The submitted affidavit shall be in substantially the following form:

AFFIDAVIT CONCERNING THE REMOVAL OF PERSONS UNLAWFULLY OCCUPYING A DWELLING UNIT

I, the owner or authorized agent of the owner of the real property located at ... ..., declare under the penalty of perjury that (initial each box):

1. ... ... I am the owner of the real property or the authorized agent of

the owner of the real property.

2. ... ... I purchased the real property on ... ...

3. ... ... An unauthorized person or persons have unlawfully entered and are remaining or residing unlawfully on the real property.

4. ... ... I have directed the unauthorized person or persons to leave the real property, but they have not done so.

5. ... ... The person or persons are not current or former tenants pursuant to any valid lease authorized by the owner of real property. The person or persons are unable to provide documentation of rental payments for such person or persons to reside on such real property, and any lease that may be produced by such person or persons is fraudulent.

6. ... ... The unauthorized person or persons sought to be removed are not an owner or a co-owner of the real property and have not been listed on the title to the real property unless the person or persons have engaged in slander of the title.

7. ... ... The unauthorized person or persons are not immediate family members of the owner of real property.

8. ... ... There is no litigation related to the real property pending between the owner of real property and any person sought to be removed from the real property.

9. ... ... I am requesting a police officer to immediately remove the unauthorized person or persons from the real property.

10. ... ... A copy of my valid government-issued identification is attached, or I am an agent of the owner of real property, and documents evidencing my authority to act on the owner of real property's behalf are attached.

I HAVE READ EVERY STATEMENT MADE IN THIS AFFIDAVIT

AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 53A-156 OF THE GENERAL STATUTES.

Signed this .... day of ...., 20...

Witnessed by ....

....

(Acknowledgment)

(d) Upon receipt of an affidavit submitted pursuant to subsection (c) of this section, the police officer shall verify that the person submitting such affidavit is the record owner of the real property or the authorized agent of such record owner and appears otherwise entitled to relief under this section. If verified, the police officer shall, without delay, serve a notice to immediately vacate on any unauthorized person occupying such real property and shall put such record owner of such real property in possession of such real property. Service may be accomplished by hand delivery of the notice to an occupant of the real property or by posting such notice on the front door or entrance of such real property. Such police officer shall attempt to verify the identity of each person occupying the dwelling and note such identity on the return of services.

(e) Any person may bring a civil cause of action against the owner of the real property or such owner's authorized agent for wrongful removal under this section. A person harmed by a wrongful removal under this section may be restored to possession of the real property and may recover actual costs and damages incurred, statutory damages equal to triple the fair market rent of the dwelling, court costs and reasonable attorney's fees.

(f) This section does not limit the rights of any owner of real property or limit the authority of any police officer to arrest any unlawful

occupant for trespassing, vandalism, theft or other crimes.

Sec. 2. Section 20-319 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) The commission shall authorize the department to issue a two-year renewal license to any applicant who possesses the qualifications specified in, and has otherwise complied with the provisions of, this chapter and any regulation adopted pursuant to this chapter. The commission shall authorize the department to issue a two-year renewal of a real estate broker's license to any business entity licensed pursuant to subsection (b) of section 20-312, provided such business entity: (1) Was so licensed as of September 30, 2005, notwithstanding the fact such business entity does not meet the requirements for publicly traded corporations required by subdivision (5) of subsection (b) of section 20-312, or (2) changes such business entity's designated broker pursuant to subsection (c) of section 20-312.

(b) There are hereby established two-year renewal licenses to be issued by the department to real estate licensees. Each real estate licensee who files an application with the department seeking a two-year renewal license shall fulfill a continuing education requirement. Each applicant for a two-year renewal license shall, in addition to the other requirements imposed by the provisions of this chapter, submit to the commission or department proof that such applicant is in compliance with the continuing education requirements established in this section. Each real estate licensee shall pay a biennial eight-dollar continuing education processing fee to cover the administrative costs associated with reviewing and auditing continuing education submissions. The continuing education requirement for real estate licensees may be satisfied by successful completion of any of the following during the two-year period preceding a renewal: (1) A course or courses <u>of not less than two hours per course</u>, approved by the commission or department, of continuing education in current real estate practices and licensing laws, including, but not limited to, practices and laws concerning common interest communities,

consisting of not less than twelve hours of classroom study; or (2) a written examination prepared and administered by either the department, or by a national testing service approved by the department, which demonstrates a knowledge of current real estate practices and licensing laws; or (3) equivalent continuing educational experience or study as determined by regulations adopted pursuant to subsection (d) of this section. Any course approved by the commission or department under subdivision (1) of this subsection may be offered at any office of a real estate broker or a real estate franchise. An applicant for examination under subdivision (2) of this subsection shall pay the required examination fee to the national testing service, if administered by such testing service, or to the department, if administered by the department.

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

(d) The Commissioner of Consumer Protection, in consultation with the commission, shall adopt regulations, in accordance with chapter 54, to establish continuing education requirements. Such regulations shall include, but not be limited to: (1) Specifications for meeting equivalent continuing educational experience or study; and (2) exceptions from continuous education requirements for reasons of health or instances of individual hardship.

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

(1) Three hundred fifteen dollars if such licensee reports to the department, in a form and manner prescribed by the department, that such real estate licensee failed to satisfy such continuing education requirements during such license period but completed such continuing

education requirements not later than two months after such license period expired; or

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

Sec. 3. (*Effective from passage*) (a) The Commissioner of Consumer Protection shall conduct a study of residential real property wholesaling business practices in this state and hold not less than one public hearing on such residential real property wholesaling business practices. The Commissioner of Consumer Protection shall invite representatives who may have expertise in the residential real property wholesaling industry to participate in any such public hearing, including, but not limited to, real estate brokers, real estate agents or representatives of any entities engaged in residential real property wholesaling in this state.

(b) Not later than February 1, 2026, the Commissioner of Consumer Protection shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to insurance on the findings of such study conducted pursuant to the provisions of subsection (a) of this section.

Sec. 4. Subdivision (2) of subsection (a) of section 8-169aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) "Actively marketed" means (A) a sign has been placed on a property advertising sale of such property, (B) the owner of such property has (i) hired a real estate broker or **[**salesperson**]** agent, licensed pursuant to section 20-312, as amended by this act, to include the property in the multiple listing service or to otherwise market the property, (ii) placed advertisements weekly, or more frequently, in print

or electronic media, or (iii) distributed printed advertisements, and (C) such sign contains accurate contact information for such owner or real estate broker or **[**salesperson**]** agent;

Sec. 5. Subsection (b) of section 10a-123 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The purposes, objectives and duties of said center shall be as follows: (1) To conduct studies in real estate and urban economics and to publish and disseminate the findings and results of such studies; (2) to assist the teaching program in real estate offered by The University of Connecticut; (3) to supply material to the Connecticut Real Estate Commission for the preparation by it of examinations for real estate **[**salespersons**]** agents and brokers, if requested to do so by the commission; (4) to develop and from time to time revise and update materials for use in the extension courses in real estate offered by The University of Connecticut; and (5) to assist the Connecticut Real Estate Commission in developing standards for the accreditation of technical education and career schools and other teaching agencies giving courses in the field of real estate and standards for the approval of courses in the field of real estate, as and when requested to do so by the commission.

Sec. 6. Section 20-311 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this chapter, unless the context otherwise requires:

(1) "Advertising" (A) means disseminating, publishing or causing to be posted by way of any (i) print media, including, but not limited to, outdoor signage and periodicals, (ii) audio or video broadcast, streaming or other electronic dissemination, or (iii) written or photographic material disseminated or posted via online, telephonic notification, electronic mail or other electronic means, and (B) does not include any (i) stockholder communication, including, but not limited to, any annual report, interim financial report, proxy material, registration statement, securities prospectus or application for listing a

security on a stock exchange, (ii) prospectus, property report, offering statement or other document that any federal agency or agency of another state requires be delivered to a prospective purchaser, (iii) communication addressed to, and relating to the account of, a person who has executed a contract for the purchase of a subdivider's lands, except if such communication concerns the sale of additional lands, or (iv) press release or other communication delivered to a media outlet for general information or public relations purposes, provided no charge is imposed by such media outlet for publication or use of any part of such communication;

(2) "Affiliated" means having a working relationship with a real estate licensee by way of an (A) employer-employee relationship, or (B) independent contractor relationship;

(3) "Associate broker" means a real estate broker who (A) is affiliated with a supervising licensee as an independent contractor or employed by a supervising licensee, and (B) has the authority to engage in the real estate business on behalf of such supervising licensee;

(4) "Business entity" means any association, corporation, limited liability company, limited liability partnership or partnership;

(5) "Commercial real estate transaction" means any transaction involving the sale, exchange, lease or sublease of real property other than (A) real property containing any building or structure occupied, or intended to be occupied, by not more than four families, or (B) a single building lot to be used for family or household purposes;

(6) "Commission" means the Connecticut Real Estate Commission appointed under the provisions of section 20-311a, as amended by this act;

(7) "Confidential information" means any fact concerning a person's assets, expenses, income, liabilities, motivations to purchase, rent or sell real property and previous offers received or made to purchase or lease real property which (A) a client has not authorized for release, or (B) is

not (i) a matter of general knowledge, (ii) part of a public record or file to which access is authorized pursuant to section 1-210, or (iii) otherwise subject to disclosure under any other provision of the general statutes or regulations of Connecticut state agencies;

(8) "Custodial broker" means any individual who is (A) licensed as a real estate broker, and (B) temporarily appointed solely to (i) conclude the real estate business matters of another broker who is deceased or incapacitated, (ii) transition such matters to a real estate broker who is alive and not incapacitated, or (iii) assist in transitioning the deceased or incapacitated broker's ownership interest in a business entity that is engaged in the real estate business for the purpose of satisfying the requirements established in section 20-312, as amended by this act;

(9) "Department" means the Department of Consumer Protection;

(10) "Designated agency" means the appointment by a real estate broker of one or more brokers or **[**salespersons**]** agents affiliated with or employed by the real estate broker to solely represent a buyer or tenant as a designated buyer's agent and appoint another to represent a seller or landlord as a designated seller's agent in a transaction;

(11) "Designated broker" means the individual real estate broker whom a real estate broker business entity names as the individual broker responsible for the supervision and overall operation of such business entity's engagement in the real estate business in this state;

(12) "Designated buyer agent" means a real estate licensee who is designated by the real estate broker by whom such real estate licensee is employed, or with whom such real estate licensee is affiliated, solely to represent a named buyer or tenant client of the real estate broker during the term of a buyer representation agreement or authorization;

(13) "Designated seller agent" means a real estate licensee who is designated by the real estate broker by whom such real estate licensee is employed, or with whom such real estate licensee is affiliated, solely to represent a named seller or landlord client of the real estate broker

during the term of a listing agreement or authorization;

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

(15) "Engage in the real estate business" means to, while acting for another and for a fee, commission or other valuable consideration, negotiate for or offer, or attempt to list for sale, sell, exchange, buy or rent, an estate or interest in real estate or to resell a mobile manufactured home, as defined in section 21-64;

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

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

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

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

(20) "Negotiate" means acting, directly or indirectly, as an intermediary by facilitating, or participating in, communications

between parties related to the parties' interests in a real estate or mobile manufactured home transaction;

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

(22) "Person" means any individual or business entity;

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

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

(25) "Real estate broker" or "broker" means (A) any person engaged in the real estate business, and (B) any person employed by or on behalf

of the owner or owners of lots or other parcels of real estate, at a stated salary, upon commission, upon a salary and commission basis or otherwise to sell such real estate, or any parts thereof, in lots or other parcels, and who sells or exchanges, or offers, attempts or agrees to negotiate the sale or exchange of, any such lot or parcel of real estate;

(26) "Real estate licensee" means any real estate broker or real estate **[**salesperson**]** agent licensed pursuant to this chapter;

(27) **[**"Real estate salesperson" or "salesperson"**]** "Real estate agent" or "agent" means any individual who is affiliated with a supervising licensee to (A) engage in the real estate business for or on behalf of such supervising licensee, or (B) if such individual is acting for another person as a designated seller agent or designated buyer agent, engage in the real estate business;

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

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

(30) "School" means any person that offers prelicensing or continuing education courses approved pursuant to this chapter;

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

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

(33) "Team name" means the name used to refer to a team in team advertisements.

Sec. 7. Subsection (b) of section 20-311a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The commission shall consist of eight persons, electors of the state, appointed by the Governor. Three of the members shall be at the time of appointment licensed real estate brokers, two of the members shall be at the time of appointment licensed real estate **[**salespersons**]** agents and three of the members shall be public members. Not more than a bare majority of the commission shall be members of the same political party and there shall be at least one member from each congressional district.

Sec. 8. Subsection (e) of section 20-312 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) Each team shall register, on a form and in a manner prescribed by the Commissioner of Consumer Protection, with the department. Each initial registration shall be valid for a period of one year and be subject to renewal for additional one-year periods. Each team shall pay to the department an initial registration fee of five hundred sixty-five dollars when the team files its initial registration, and a registration renewal fee of three hundred seventy-five dollars when the team files each registration renewal, pursuant to this subparagraph. Each team shall include in each registration form that the team files with the department pursuant to this subsection:

(1) Such team's team name, which shall:

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

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

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

(2) The name of, and contact information for, such team's supervising licensee, who shall serve as such team's primary contact, ensure that such team complies with all applicable laws and regulations concerning team advertisements and ensure that such team timely files accurate registration forms and registration updates with the department pursuant to this subsection; and

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

Sec. 9. Section 20-312a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

In any action brought by a third party against a real estate **[**salesperson**]** agent affiliated with a real estate broker as an independent contractor, such broker shall be liable to the same extent as if such affiliate had been employed as a real estate **[**salesperson**]** agent by such broker.

Sec. 10. Subsection (b) of section 20-312c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 11. Section 20-314 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Licenses shall be granted under this chapter only to persons who bear a good reputation for honesty, truthfulness and fair dealing and who are competent to transact the business of a real estate broker or real estate **[**salesperson**]** agent in such manner as to safeguard the interests of the public.

(b) Each application for a license or for a renewal thereof shall be made in writing, on such forms and in such manner as is prescribed by the department.

(c) In order to determine the competency of any applicant for a real estate licensee's license, the commission or Commissioner of Consumer Protection shall, on payment of an application fee of one hundred twenty dollars by an applicant for a real estate broker's license or an application fee of eighty dollars by an applicant for a real estate **[**salesperson's**]** agent's license, subject such applicant to personal written examination as to the applicant's competency to act as a real estate broker or real estate **[**salesperson**]** agent, as the case may be. Each examination shall be prepared by the department or by a national testing service designated by the commissioner and shall be administered to applicants by the department or by such testing service at such times and places as the commissioner may deem necessary. The commission or commissioner may waive the uniform portion of the written examination requirement in the case of an applicant who has taken the national testing service examination in another state within two years from the date of application and has received a score deemed satisfactory by the commission or commissioner. The commissioner shall adopt regulations, in accordance with chapter 54, establishing passing scores for examinations. In addition to such application fee, applicants taking the examination administered by a national testing service shall be required to pay directly to such testing service an examination fee covering the cost of such examination. Each payment of such application fee shall entitle the applicant to take such examination

within the one-year period from the date of payment.

(d) (1) Each applicant shall, before being admitted to such examination, prove to the satisfaction of the commission or the Commissioner of Consumer Protection that the applicant (A) (i) has been actively engaged as a licensed real estate **[**salesperson**]** agent under the supervision of a supervising licensee, who is licensed in this state, for a minimum period of three years immediately preceding the date the applicant filed such applicant's application, during which period such **[**salesperson**]** agent engaged in the real estate business for at least one thousand five hundred hours and such supervising licensee, or such supervising licensee's authorized representative, has certified the accuracy of a record of such applicant's active engagement on a form provided by such applicant to such supervising licensee or authorized representative, (ii) has successfully completed a course approved by the commission or commissioner in real estate principles and practices of at least sixty classroom hours of study, (iii) has successfully completed a course approved by the commission or commissioner in real estate legal compliance consisting of at least fifteen classroom hours of study, (iv) has successfully completed a course approved by the commission or commissioner in real estate brokerage principles and practices consisting of at least fifteen classroom hours, (v) has successfully completed two elective courses, each consisting of fifteen classroom hours of study, as prescribed by the commission or commissioner, and (vi) has represented a seller, buyer, lessor or lessee in at least four real estate transactions that closed during the three years immediately preceding the date on which such applicant filed such applicant's application, or (B) has equivalent experience or education as determined by the commission or commissioner. Each supervising licensee, or authorized representative of such supervising licensee, shall certify the accuracy or inaccuracy of a record provided by an applicant to such supervising licensee or authorized representative under subparagraph (A)(i) of this subdivision not later than ninety days after such applicant provides such record to such supervising licensee or authorized representative.

(2) The commission or the commissioner shall waive the elective courses under subparagraph (A)(v) of subdivision (1) of this subsection if the applicant has successfully completed at least twenty real estate transactions within five years immediately preceding the date of application.

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

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

(f) All licenses issued under the provisions of this chapter shall expire biennially. At the time of application for a real estate broker's license, there shall be paid to the department, for each individual applicant and for each business entity, the sum of one thousand one hundred thirty dollars, and for the biennial renewal thereof, the sum of seven hundred fifty dollars, except that for licenses expiring on March 31, 2022, a prorated renewal fee shall be charged to reflect the fact that the March 2022, renewal shall expire on November 30, 2023. At the time of application for a real estate **[**salesperson's**]** agent's license, there shall be paid to the department five hundred seventy dollars and for the biennial renewal thereof the sum of five hundred seventy dollars. Six dollars of each such biennial renewal fee shall be payable to the Real Estate Guaranty Fund established pursuant to section 20-324a. A real estate broker's license issued to any business entity shall entitle the designated broker, upon compliance with the terms of this chapter, but without the payment of any further fee, to perform all of the acts of a real estate broker under this chapter on behalf of such business entity. Any license which expires and is not renewed on or before the ninetieth day

following the expiration date of such license may be reinstated by the commission or department, in the commission's or department's discretion, provided such license has expired for less than three years and the former licensee (1) attests that such former licensee did not work in this state in the occupation or profession in which such former licensee was licensed while such former licensee's license was lapsed, (2) pays the renewal fee due for such license for the year in which such license is reinstated, and (3) completes any continuing education required for such license for the year preceding such reinstatement. If an applicant for reinstatement worked in this state in the occupation or profession in which such applicant was formerly licensed while such license was lapsed, the applicant shall pay all license and late fees due and owing for the lapse period and demonstrate that such applicant has completed all continuing education required for such license for the year preceding such reinstatement. Such late fees shall be assessed for each real estate broker's license in the amount of three hundred seventy-five dollars and for each real estate **[**salesperson's**]** agent's license in the amount of two hundred eighty-five dollars for each year or fraction thereof from the date of expiration of the previous license to the date of payment for reinstatement. If a license has lapsed for at least three years, the former licensee is ineligible for reinstatement under this subsection and may apply for a new license. Notwithstanding any contrary provision of this subsection, a former licensee whose license expired after such former licensee entered military service shall be reinstated without payment of any fee if an application for reinstatement is filed with the commission or department before the third anniversary of such expiration date, and the former licensee provides evidence that is sufficient to demonstrate to the commission or department that such former licensee completed at least six hours of continuing education for such license, including, but not limited to, the mandatory continuing education required for such license, during the calendar year preceding the date on which such application for reinstatement is filed. Any such reinstated broker's license shall expire on the next succeeding November thirtieth. Any such reinstated real estate **[**salesperson's**]** agent's license shall expire on the next succeeding May thirty-first.

(g) Following a denial of a license or license renewal application filed under this section, the department shall send a notice to the applicant who filed such application disclosing such denial and that such applicant may request a hearing by submitting to the Commissioner of Consumer Protection a written hearing request not later than thirty days after the date such denial notice was sent to such applicant. If the applicant requests a hearing during such thirty-day period, the department shall send a notice to such applicant disclosing the grounds for such denial and conduct a hearing concerning such denial in accordance with the provisions of chapter 54. If the commissioner's denial is sustained after such hearing, the applicant may file a new application for such license or license renewal not sooner than one year after the date on which such denial was sustained.

Sec. 12. Subsection (a) of section 20-319a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each licensed real estate **[**salesperson**]** agent or associate broker who transfers such real estate **[**salesperson's**]** agent's or associate broker's affiliation with a broker or property owner shall register such transfer with, and pay a registration fee of twenty-five dollars to, the department.

Sec. 13. Section 20-324*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No leasing agent shall engage in the real estate business except for leasing or renting real property that is exclusively used for residential occupancy. Leasing agents shall not engage in any activity that requires a real estate broker's or real estate **[**salesperson's**]** agent's license, including, but not limited to, selling, offering, listing, negotiating, referring or showing for sale, entering into lease-to-own agreements or leasing commercial real estate. A leasing agent shall be employed by a development owner. A leasing agent shall not offer leasing services for any person that is not a development owner. No leasing agent shall

engage in the real estate business concerning any property other than on behalf of the owner of record of a multiunit development that employs such leasing agent. A leasing agent shall obtain a written contract from the development owner to demonstrate such employment prior to engaging in any leasing activity at such development. Such contract shall be made available to the department, and produced by the leasing agent in an electronic form, upon a request by the department for such contract.

Sec. 14. Subsection (q) of section 20-325a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(q) The provisions of subsections (a) and (b) of this section shall not apply to any (1) person excepted from the provisions of this chapter by section 20-329 with respect to any acts performed by the person which are included in such exception; or (2) real estate broker or real estate **[**salesperson**]** agent who has provided services to the federal government, any political subdivision thereof, or any corporation, institution or quasi-governmental agency chartered by the federal government.

Sec. 15. Subsection (b) of section 20-325c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

I UNDERSTAND THAT THE REAL ESTATE BROKER OR **[**SALESPERSON**]** AGENT IN THIS TRANSACTION HAS OFFERED TO ASSIST ME IN FINDING A MORTGAGE LOAN. ADDITIONALLY, I UNDERSTAND THAT THIS REAL ESTATE BROKER OR **[**SALESPERSON**]** AGENT DOES NOT REPRESENT ANY

PARTICULAR MORTGAGE LENDER AND WILL ATTEMPT TO OBTAIN THE BEST TERMS AVAILABLE WITHIN THE MORTGAGE LOAN MARKET FOR MY SPECIFIC HOME FINANCING NEEDS. IF THE REAL ESTATE BROKER OR **[**SALESPERSON**]** AGENT DOES NOT FULFILL **[**HIS**]** SUCH BROKER'S OR AGENT'S FIDUCIARY OBLIGATION I MAY FILE A COMPLAINT WITH THE DEPARTMENT OF BANKING. I ALSO UNDERSTAND THAT I MAY ATTEMPT TO FIND A MORTGAGE LOAN TO FINANCE THE PURCHASE OF MY HOME WITHOUT THE ASSISTANCE OF THE REAL ESTATE BROKER OR **[**SALESPERSON**]** AGENT IN WHICH CASE I WILL NOT BE OBLIGATED TO PAY A FEE TO THE REAL ESTATE BROKER OR **[**SALESPERSON**]** AGENT.

Sec. 16. Section 20-325*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) An out-of-state broker may perform acts with respect to a commercial real estate transaction that require a license under this chapter, provided the out-of-state broker:

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

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

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

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

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

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

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

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

(2) Provides the licensed broker who is working in cooperation with the out-of-state broker a copy of the out-of-state **[**salesperson's**]** agent's license or other proof of licensure from the states where the out-of-state **[**salesperson**]** agent maintains a license as a real estate **[**salesperson**]** agent.

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

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

(e) An out-of-state real estate licensee may receive compensation for

referring to a real estate licensee in this state a prospective party to a real estate transaction in this state.

Sec. 17. Section 20-327b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as otherwise provided in this section, each person who offers residential property in the state for sale, exchange or for lease with option to buy, shall provide a written residential condition report or reports to the prospective purchaser at any time prior to the prospective purchaser's execution of any binder, contract to purchase, option or lease containing a purchase option. A photocopy, duplicate original, facsimile transmission or other exact reproduction or duplicate of the written residential condition report or reports containing the prospective purchaser's written receipt shall be attached to any written offer, binder or contract to purchase. A photocopy, duplicate original, facsimile transmission or other exact reproduction or duplicate of the written residential condition report or reports containing the signatures of both seller and purchaser shall be attached to any agreement to purchase the property.

(b) The following shall be exempt from the provisions of this section: (1) Any transfer from one or more co-owners solely to one or more of the co-owners; (2) transfers made to the spouse, mother, father, brother, sister, child, grandparent or grandchild of the transferor where no consideration is paid; (3) transfers of newly-constructed residential real property for which an implied warranty is provided under chapter 827; (4) transfers made by executors, administrators, trustees or conservators; (5) transfers by the federal government, any political subdivision thereof or any corporation, institution or quasi-governmental agency chartered by the federal government; (6) transfers by this state; (7) except as provided in subsections (g) and (h) of this section, transfers by any political subdivision of this state; (8) transfers of property which was the subject of a contract or option entered into prior to January 1, 1996; and (9) except as provided in subsections (g) and (h) of this section, any transfer of property acquired by a judgment

of strict foreclosure or by foreclosure by sale or by a deed in lieu of foreclosure.

(c) The provisions of this section shall apply only to transfers by sale, exchange or lease with option to buy, of residential real property consisting of not less than one nor more than four dwelling units which shall include cooperatives and condominiums, and shall apply to all transfers, with or without the assistance of a licensed real estate broker or **[**salesperson**]** agent, as defined in section 20-311, as amended by this act.

(d) The Commissioner of Consumer Protection shall, within available appropriations, prescribe the written residential condition reports required by this section and sections 20-327c to 20-327e, inclusive. The written residential condition reports shall be based upon templates that the commissioner shall prescribe. Such templates shall: Fit on pages being not more than eight and one-half inches in height and eleven inches in width, with type size no smaller than nine-point type, other than checkboxes or section headers, which may be in a smaller size; include the address of the subject property on each page; include page numbers on each page; include section headings in bold type and include space for the buyer and the seller's initials on each page, except the signature page. Each written residential condition report, other than the written residential condition report required pursuant to subsections (g) and (h) of this section, shall contain the following, in the order indicated:

(1) A section entitled "Instructions to Sellers"

You MUST answer ALL questions to the best of your knowledge.

Identify/Disclose any problems regarding the subject property.

YOUR REAL ESTATE LICENSEE CANNOT COMPLETE THIS FORM ON YOUR BEHALF.

UNK means Unknown, N/A means Not Applicable.

If you need additional space to complete any answer or explanation, attach additional page(s) to this form. Include subject property address, seller's name and the date.

(2) Pursuant to the Uniform Property Condition Disclosure Act, the seller is obligated to answer the following questions and to disclose herein any knowledge of any problem regarding the following:

(A) A subsection entitled "Subject Property"

(i) Name of seller(s)

(ii) Street address, municipality, zip code

(B) A subsection entitled "General Information"

(i) Indicate the YEAR the structure was built:

(ii) Indicate HOW LONG you have occupied the property: If not applicable, indicate with N/A.

(iii) Does anyone else claim to own any part of your property, including, but not limited to, any encroachment(s)? If YES, explain:

(iv) Does anyone other than you have or claim to have any right to use any part of your property, including, but not limited to, any easement or right-of-way? If YES, explain:

(v) Is the property in a flood hazard area or an inland wetlands area? If YES, explain:

(vi) Are you aware of the presence of a dam on the property that has been or is required to be registered with the Department of Energy and Environmental Protection? If YES, explain:

(vii) Do you have any reason to believe that the municipality in which the subject property is located may impose any assessment for purposes such as sewer installation, sewer improvements, water main installation, water main improvements, sidewalks or other

improvements? If YES, explain:

(viii) Is the property located in a municipally designated village district, municipally designated historic district or listed on the National Register of Historic Places? If YES, explain:

(ix) Special Statement: Information concerning village districts and historic districts may be obtained from the municipality's village or historic district commission, if applicable.

(x) Is the property located in a special tax district? If YES, explain:

(xi) Is the property subject to any type of land use restrictions, other than those contained within the property's chain of title or that are necessary to comply with state laws or municipal zoning? If YES, explain:

(xii) Is the property located in a common interest community? If YES, is it subject to any community or association dues or fees? Please explain:

(xiii) Do you have any knowledge of prior or pending litigation, government agency or administrative actions, orders or liens on the property related to the release of any hazardous substance? If YES, explain:

(C) A subsection entitled "Leased Equipment"

Does the property include any Leased or Rented Equipment that would necessitate or obligate either of the following: The assignment or transfer of the lease or rental agreement(s) to the buyer or the replacement or substitution of the equipment by the buyer? If YES, indicate by checking ALL items that apply: PROPANE FUEL TANK; WATER HEATER; SECURITY ALARM SYSTEM; FIRE ALARM SYSTEM; SATELLITE DISH ANTENNA; WATER TREATMENT SYSTEM; SOLAR DEVICES; MAJOR APPLIANCES; OTHER

(D) A subsection entitled "Mechanical/Utility Systems"

(i) Heating system problems? If YES, explain. List Fuel Types.

(ii) Hot water heater Type: Age: Hot water problems? If YES, explain:

(iii) Is there an underground storage tank? If YES, give AGE of tank and LOCATION.

(iv) Are you aware of any problems with the underground storage tank? If YES, explain:

(v) During the time you have owned the property, has there ever been an underground storage tank located on the property? If YES, has it been removed? If YES, what was the date of removal and what was the name and address of the person or business who removed such underground storage tank? Provide any and all written documentation of such removal within your control or possession by attaching a copy of such documentation to this form.

(vi) Air conditioning problems? If YES, explain: Air conditioning Type: Central; Window; Other

(vii) Plumbing system problems? If YES, explain:

(viii) Electrical System problems? If YES, explain:

(ix) Electronic security system problems? If YES, explain:

(x) Are there carbon monoxide or smoke detectors located in a dwelling on the property? If YES, state the NUMBER of such detectors and whether there have been problems with such detectors;

(xi) Fire sprinkler system problems? If YES, explain:

(E) A subsection entitled "Water System"

(i) Domestic Water System Type: Public; Private Well; Other

(ii) If Public Water:

(I) Is there a separate expense/fee for water usage? If YES, is the

expense/fee for water usage flat or metered? Give the AMOUNT and explain:

(II) Are there any UNPAID water charges? If YES, state the amount unpaid:

(iii) If Private Well:

Has the well water been tested for contaminants/volatile organic compounds? If YES, attach a copy of the report.

(iv) If Public Water or Private Well: Are you aware of any problems with the well, or with the water quality, quantity, recovery, or pressure? If YES, explain:

(F) A subsection entitled "Sewage Disposal System"

(i) Sewage Disposal System Type: Public; Septic; Cesspool; Other

(ii) If Public Sewer:

(I) Is there a separate charge made for sewer use? If YES, is it Flat or Metered?

(II) If it is a Flat amount, state amount and due dates:

(III) Are there any UNPAID sewer charges? If any unpaid sewer charges, state the amount:

(iii) If Private:

(I) Name of service company

(II) Date last pumped: AND frequency:

(III) For any sewage system, are there problems? If YES, explain:

(G) A subsection entitled "Asbestos/Lead"

(i) Are asbestos containing insulation or building materials present?

If YES, location:

(ii) Is lead paint present? If YES, location:

(iii) Is lead plumbing present? If YES, location:

(H) A subsection entitled "Building/Structure/Improvements"

(i) Is the foundation made of concrete? If NO, explain:

(ii) Foundation/Slab problems or settling? If YES, explain:

(iii) Basement Water Seepage/Dampness? If YES, explain Amount, Frequency and Location:

(iv) Sump pump problems? If YES, explain:

(v) Do you have any knowledge of any testing or inspection done by a licensed professional related to a foundation on the property? If YES, disclose the testing or inspection method, the areas or locations that were tested or inspected, the results of such testing or inspection and attach a copy of the report concerning such testing or inspection.

(vi) Do you have any knowledge of any repairs related to a foundation on the property? If YES, describe such repairs, disclose the areas repaired and attach a copy of the report concerning such repairs.

(vii) Do you have any knowledge related to the presence of pyrrhotite in a foundation on the property? If YES, explain:

(viii) Roof type; Age?

(ix) Roof leaks? If YES, explain:

(x) Exterior siding problems? If YES, explain:

(xi) Chimney, Fireplace, Wood or Coal Stove problems? If YES, explain:

(xii) Patio/deck problems? If YES, explain:

(xiii) If constructed of Wood, is the Wood Treated or Untreated?

(xiv) Driveway problems? If YES, explain:

(xv) Water drainage problems? If YES, explain:

(xvi) Interior Floor, Wall and/or Ceiling problems? If YES, explain:

(xvii) Fire and/or Smoke damage? If YES, explain:

(xviii) Termite, Insect, Rodent or Pest Infestation problems? If YES, explain:

(xix) Rot or Water damage problems? If YES, explain:

(xx) Is house insulated? If YES, Type: Location:

(xxi) Has a test for Radon been performed? If YES, attach a copy of the report.

(xxii) Is there a Radon Control System in place? If YES, explain:

(xxiii) Has a Radon control system been in place in the previous 12 months? If YES, explain:

(I) The Seller should attach additional pages to further explain any item(s) above. Indicate here the number of additional pages attached:

(J) Questions contained in subparagraphs (A) to (I), inclusive, of this subdivision shall contain checkboxes indicating "yes", "no", "not applicable" or "unknown".

(3) The written residential condition report shall contain the following immediately below the questions contained in subparagraphs (A) to (I), inclusive, of subdivision (2) of this subsection:

A certification by the seller in the following form:

SELLER'S CERTIFICATION

"To the extent of the seller's knowledge as a property owner, the seller acknowledges that the information contained above is true and accurate for those areas of the property listed. In the event a real estate broker or **[**salesperson**]** agent is utilized, the seller authorizes the brokers or **[**salespersons**]** agents to provide the above information to prospective buyers, selling agents or buyers' agents.

T1 .... (Date) .... (Seller)
T2 .... (Date) .... (Seller)"

(4) The written residential condition report shall contain the following in a separate section immediately below the seller's certification:

IMPORTANT INFORMATION

(A) RESPONSIBILITIES OF REAL ESTATE BROKERS

This report in no way relieves a real estate broker of the broker's obligation under the provisions of section 20-328-5a of the Regulations of Connecticut State Agencies to disclose any material facts. Failure to do so could result in punitive action taken against the broker, such as fines, suspension or revocation of license.

(B) STATEMENTS NOT TO CONSTITUTE A WARRANTY

Any representations made by the seller on the written residential condition report shall not constitute a warranty to the buyer.

(C) NATURE OF REPORT

This Residential Property Condition Report is not a substitute for inspections, tests and other methods of determining the physical condition of property.

(D) INFORMATION ON THE RESIDENCE OF CONVICTED FELONS

Information concerning the residence address of a person convicted of a crime may be available from law enforcement agencies or the Department of Public Safety.

(E) BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

Prospective buyers should consult with the municipal building official in the municipality in which the property is located to confirm that building permits and certificates of occupancy have been issued for work on the property.

(F) HOME INSPECTION

Buyers should have the property inspected by a licensed home inspector.

(G) CONCRETE FOUNDATION

Prospective buyers may have a concrete foundation inspected by a licensed professional engineer who is a structural engineer for deterioration of the foundation due to the presence of pyrrhotite.

(H) DAM

Information concerning the registration and categorization of a dam on the property may be obtained from the Department of Energy and Environmental Protection.

(5) The written residential condition report shall contain the following immediately below the statements contained in subparagraphs (A) to (H), inclusive, of subdivision (4) of this subsection:

A certification by the buyer in the following form:

BUYER'S CERTIFICATION

"The buyer is urged to carefully inspect the property and, if desired, to have the property inspected by an expert. The buyer understands that there are areas of the property for which the seller has no knowledge

and that this report does not encompass those areas. The buyer also acknowledges that the buyer has read and received a signed copy of this report from the seller or seller's agent.

| | | |
|---|---|---|
| T3 | .... (Date) | .... (Buyer) |
| T4 | .... (Date) | .... (Buyer)" |

(e) On or after January 1, 1996, the Commissioner of Consumer Protection shall make available the written residential condition reports prescribed in accordance with the provisions of this section and sections 20-327c to 20-327e, inclusive, to the Division of Real Estate, all municipal town clerks, the Connecticut Association of Realtors, Inc., and any other person or institution that the commissioner believes would aid in the dissemination and distribution of such forms. The commissioner shall also cause information concerning such forms and the completion of such forms to be disseminated in a manner best calculated, in the commissioner's judgment, to reach members of the public, attorneys and real estate licensees.

(f) Any written residential condition report prescribed in accordance with the provisions of this section and sections 20-327c to 20-327e, inclusive, shall take effect for new listings thirty days following posting of the notice regarding such report on the Department of Consumer Protection's Internet web site.

(g) In any transfer of residential real property that is located in a municipality that the Capitol Region Council of Governments determines is affected, or potentially affected, by crumbling foundations and was acquired by a political subdivision of this state or was acquired by a judgment of strict foreclosure or by foreclosure by sale or by a deed in lieu of foreclosure, the owner or political subdivision shall, through a written residential condition report described in subsection (h) of this section, disclose to the prospective purchaser of such real property, at any time prior to the prospective purchaser's execution of any binder, contract to purchase, option or lease containing a purchase option, any facts that are within such owner's or political subdivision's actual

knowledge concerning:

(1) The presence of pyrrhotite in any concrete foundation on such property;

(2) Any damage or deterioration in any concrete foundation on such property, including, but not limited to, any damage or deterioration caused by the presence of pyrrhotite in any foundation on such property; and

(3) Any repairs or remediation to any concrete foundation on such property.

(h) In any transfer of residential real property that is located in a municipality that the Capitol Region Council of Governments determines is affected, or potentially affected, by crumbling foundations and was acquired by a political subdivision of this state or was acquired by a judgment of strict foreclosure or by foreclosure by sale or by a deed in lieu of foreclosure, the owner or political subdivision shall satisfy the provisions of subsection (g) of this section through a written residential condition report prescribed by the Commissioner of Consumer Protection pursuant to subsection (d) of this section, which report shall be entitled "Residential Foundation Condition Report" and exclusively contain the following in the following order:

(1) A section entitled "Instructions to Sellers"

You MUST answer ALL questions based on your knowledge. You are not required to undertake investigations or inspections of the foundation to verify your answers.

YOUR REAL ESTATE LICENSEE CANNOT COMPLETE THIS FORM ON YOUR BEHALF.

UNK means Unknown, N/A means Not Applicable.

If you need additional space to complete any answer or explanation, attach additional page(s) to this form. Include subject property address,

seller's name and the date.

(2) Pursuant to the Uniform Property Condition Disclosure Act, the seller is obligated to answer the following questions and to disclose herein any knowledge of any problem regarding the following:

(A) A subsection entitled "Subject Property"

(i) Name of seller(s)

(ii) Street address, municipality, zip code

(B) A subsection entitled "Information About the Foundation"

(i) Do you have any knowledge related to the presence of pyrrhotite in any concrete foundation on the subject property? If YES, explain:

(ii) Are you aware of any damage or deterioration in any concrete foundation on the subject property, including, but not limited to, any damage or deterioration caused by the presence of pyrrhotite in any concrete foundation on the property? If YES, explain:

(iii) Are you aware of any repairs or remediation to any concrete foundation on the subject property? If YES, explain:

(3) In a separate section immediately below the questions contained in subdivision (2) of this subsection, the following information in the following form:

IMPORTANT INFORMATION

(A) RESPONSIBILITIES OF REAL ESTATE BROKERS

This report in no way relieves a real estate broker of the broker's obligation under the provisions of section 20-328-5a of the Regulations of Connecticut State Agencies to disclose any material facts. Failure to do so could result in punitive action taken against the broker, such as fines, suspension or revocation of license.

(B) STATEMENTS NOT TO CONSTITUTE A WARRANTY

Any representations made by the seller in this residential foundation condition report shall not constitute a warranty to the buyer.

(C) NATURE OF REPORT

This report is not a substitute for inspections, tests and other methods of determining the physical condition of the foundation. Prospective buyers may have a concrete foundation inspected by a licensed professional engineer for deterioration of the foundation due to the presence of pyrrhotite.

(4) Immediately following the information contained in subdivision (3) of this subsection, a certification by the buyer in the following form:

BUYER'S CERTIFICATION

"The buyer is urged to carefully inspect the foundation and, if desired, to have the foundation inspected by an expert. The buyer understands that there are parts of the property, including the foundation, for which the seller has no knowledge and that this report does not encompass those parts. The buyer also acknowledges that the buyer has read and reviewed a signed copy of this report from the seller or the seller's agent.

T5 .... (Date) .... (Buyer)
T6 .... (Date) .... (Buyer)"

(5) Immediately below the buyer's certification, a certification by the seller in the following form:

SELLER'S CERTIFICATION

"To the extent of the seller's knowledge as an owner of a property acquired through foreclosure or deed in lieu of foreclosure, the seller acknowledges that the information contained above is true and accurate. In the event a real estate broker or **[**salesperson**]** agent is

utilized, the seller authorizes the broker or **[**salesperson**]** agent to provide the above information to prospective buyers, selling agents or buyers' agents.

| | | |
|---|---|---|
| T7 | .... (Date) | .... (Seller) |
| T8 | .... (Date) | .... (Seller)" |

Sec. 18. Subsection (b) of section 20-327i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

Sec. 19. Section 20-329a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section and sections 20-329b to 20-329n, inclusive:

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

(2) "Offer" means every inducement, solicitation or attempt to bring

about a disposition;

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

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

(5) **[**"Salesperson"**]** "Agent" means any person duly licensed as a real estate **[**salesperson**]** agent under this chapter;

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

(7) "Subdivision" means any improved or unimproved land or tract of land located outside this state which is divided or proposed to be divided into five or more lots, parcels, units, or interests for the purpose of disposition, at any time as part of a common promotional plan. Any land which is under common ownership or which is controlled by a single developer or a group of developers acting in concert, is contiguous in area, and is designated or advertised as a common unit or known by a common name, shall be presumed, without regard to the number of lots, parcels, units or interests covered by each individual offering, to be part of a common promotional plan.

Sec. 20. Subsection (g) of section 20-329hh of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) No real estate **[**salesperson**]** agent or team member shall engage in the real estate business while the supervising licensee that is responsible for controlling and supervising such **[**salesperson**]** agent or team is deceased or incapacitated unless a custodial broker has been

appointed for such supervising licensee.

Sec. 21. Subsection (a) of section 20-417j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Sections 20-417a to 20-417i, inclusive, do not apply to any of the following persons or organizations: (1) Any person holding a current license as a real estate broker or **[**salesperson**]** agent issued pursuant to chapter 392, provided such person engages only in work for which such person is licensed under chapter 392; (2) any person licensed or otherwise authorized under chapter 412 to sell or place a mobile manufactured home, as defined in section 21-64, upon a mobile manufactured home park or mobile manufactured space or lot, both as defined in section 21-64, provided such person engages only in work for which such person is licensed or otherwise authorized under chapter 412; (3) any other person holding a professional or occupational license, registration or certificate issued pursuant to the general statutes, provided such person engages only in the work for which such person is licensed, registered or certified; and (4) any new home construction contractor who enters into one or more new home construction contracts related to the same new home when such contract or contracts in the aggregate with respect to that home has a total price for work or services that is less than three thousand five hundred dollars.

Sec. 22. Section 20-526 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The provisions of sections 20-500 to 20-528, inclusive, concerning the certification or provisional licensing of real estate appraisers shall not apply to (1) any person under contract with a municipality who performs a revaluation of real estate for assessment purposes pursuant to section 12-62, and (2) any licensed real estate broker or real estate **[**salesperson**]** agent who estimates the value of real estate as part of a market analysis performed for the owner of the real estate or a designee of the owner, on such terms as may be agreed upon between such owner

or the owner's designee and the real estate broker or real estate **[**salesperson**]** agent, for the purpose of (A) a prospective listing or sale of such real estate, (B) providing information to the seller or landlord under a listing agreement, or (C) providing information to a prospective buyer or tenant under a buyer or tenant agency agreement, provided such estimate of value shall not be referred to or be construed as an appraisal. If such owner executes a listing contract with the real estate broker or real estate **[**salesperson**]** agent who so estimated the value of the real estate for the sale of the real estate and such real estate contains any building or other structure, occupied or intended to be occupied by no more than four families, then such owner shall be credited against any compensation the owner pays on account of such listing contract for any fee paid by the owner for such estimate of value.

Sec. 23. Subparagraph (K) of subdivision (5) of subsection (a) of section 31-222 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(K) Service performed by an individual as an insurance agent, other than an industrial life insurance agent, and service performed by an individual as a real estate **[**salesperson**]** agent, if all such service is performed for remuneration solely by way of commission;

Sec. 24. Subsection (c) of section 42-103gg of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any sales agent who offers a time share interest created under this section shall be licensed as a real estate broker or real estate **[**salesperson**]** agent as set forth in section 20-312, as amended by this act, unless exempt from licensure under chapter 392. The following need not be licensed pursuant to section 20-312, as amended by this act: (1) An exchange company that is exchanging time share periods, or (2) a person who only distributes literature pertaining to a time share or advertises a time share, provided a sales agent or a real estate broker or real estate **[**salesperson**]** agent licensed under section 20-312, as amended by this

act, transacts the sale of such time share interest.

Sec. 25. Subsection (d) of section 42-484 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Nothing in sections 42-482 and 42-483 and this section shall be construed to apply to any person who holds a real estate **[**salesperson's**]** agent's license and who has a claim for payment of a real estate commission or compensation against the real estate broker with whom such real estate **[**salesperson**]** agent is affiliated.

Sec. 26. Subsection (a) of section 47-17a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section:

(1) "Person" means an individual, corporation, limited liability company, partnership, association, trustee or other entity capable of holding an interest in real property or any combination thereof.

(2) (A) "Private transfer fee" means a fee or charge payable (i) upon the conveyance and subsequent conveyance of an interest in real property located in this state, or (ii) for the right to make or accept such conveyance;

(B) "Private transfer fee" does not include:

(i) Any consideration payable by a grantee to a grantor for the conveyance of an interest in real property located in this state, including any subsequent consideration payable by such grantee for such real property based on subsequent appreciation, development or sale of such real property, provided such subsequent consideration is payable on a one-time basis and the obligation to pay such consideration does not bind successors in title to such real property. For purposes of this subparagraph, "real property" includes a mineral estate, as defined in section 47-33o;

(ii) Any commission payable to a real estate broker or a real estate **[**salesperson**]** agent for the sale of real property located in this state pursuant to a contract or agreement between such broker or **[**salesperson**]** agent and a grantee or grantor, including any subsequent commission payable by such grantee or grantor for such real property based on subsequent appreciation, development or sale of such real property;

(iii) Any interest, fee, charge or other amount payable by a borrower to a lender pursuant to a loan secured by a mortgage against real property located in this state, including any fee payable to such lender for consenting to an assumption of such loan or conveyance of such real property subject to such mortgage, any fee or charge payable to such lender for an estoppel letter or certificate issued by such lender, and any shared appreciation interest, profit participation or other consideration payable to the lender in connection with such loan;

(iv) Any rent, reimbursement, fee, charge or other amount payable by a lessee to a lessor, including any fee or charge payable to such lessor for consenting to an assignment, sublease or encumbrance of a rental agreement or lease;

(v) Any consideration payable to the holder of an option to purchase an interest in real property or the holder of a right of first refusal or first offer to purchase an interest in real property located in this state, for such holder's waiver, release or nonexercise of such option or right;

(vi) Any tax, assessment, fine, fee, charge or other amount payable to or imposed by a governmental entity;

(vii) Any dues, assessment, fine, contribution, fee, charge or other amount payable to an association or a unit owners' association of a common interest community as defined by chapter 828, pursuant to any declaration, covenant, law, association bylaw, association rule or association regulation, including a fee or charge payable to such association for an estoppel letter or certificate issued by such association or its authorized agent;

(viii) Any dues, assessment, fine, contribution, fee, charge or other amount imposed by a declaration or covenant encumbering a municipality or a county or any combination thereof or a neighborhood or other area, irrespective of boundaries or political subdivision, in this state, and payable solely to an organization that is tax exempt pursuant to 26 USC 501(c) for the purpose of supporting cultural, educational, charitable, recreational, environmental, conservation or other similar activities that benefit such municipality, county, neighborhood or other area; or

(ix) Any dues, assessment, contribution, fee, charge or other amount payable for the purchase or transfer of a club membership related to real property located in this state.

(3) "Private transfer fee obligation" means an obligation arising under a declaration or a covenant recorded against the title to real property located in this state or under any contractual agreement or promise, whether or not recorded, that requires or purports to require the payment of a private transfer fee upon a conveyance or a subsequent conveyance of an interest in such real property.

Sec. 27. Section 47-100 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The sale of real estate syndicate securities shall not be an act requiring licensure as a real estate **[**salesperson**]** agent or broker as defined in section 20-311, as amended by this act.

Sec. 28. Subsection (a) of section 49-7f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No mortgage broker or lender, as defined in subdivision (5) of section 49-31d, or any person affiliated with such mortgage broker or lender shall receive a fee, commission or other form of referral fee for the referral of any person to (1) a real estate broker, real estate **[**salesperson**]** agent, as defined in section 20-311, as amended by this act,

or any person affiliated with such broker or **[**salesperson**]** agent or any person engaged in the real estate business, as defined in **[**said**]** section 20-311, as amended by this act, or (2) an attorney-at-law admitted to practice within this state or any person affiliated with such attorney.

Sec. 29. Subsection (a) of section 51-87b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No attorney-at-law admitted to practice within this state or any person affiliated with such attorney may receive a fee, commission or other form of referral fee for the referral of any person to (1) a real estate broker or real estate **[**salesperson**]** agent, as defined in section 20-311, as amended by this act, or any person affiliated with such broker or **[**salesperson**]** agent or any person engaged in the real estate business, as defined in **[**said**]** section 20-311, as amended by this act, or (2) any mortgage broker or mortgage lender, as defined in subdivision (5) of section 49-31d, or any person affiliated with such mortgage broker or lender.

| This act shall take effect as follows and shall amend the following sections: | | |
|---|---|---|
| Section 1 | *October 1, 2025* | New section |
| Sec. 2 | *October 1, 2025* | 20-319 |
| Sec. 3 | *from passage* | New section |
| Sec. 4 | *from passage* | 8-169aa(a)(2) |
| Sec. 5 | *from passage* | 10a-123(b) |
| Sec. 6 | *from passage* | 20-311 |
| Sec. 7 | *from passage* | 20-311a(b) |
| Sec. 8 | *from passage* | 20-312(e) |
| Sec. 9 | *from passage* | 20-312a |
| Sec. 10 | *from passage* | 20-312c(b) |
| Sec. 11 | *from passage* | 20-314 |
| Sec. 12 | *from passage* | 20-319a(a) |
| Sec. 13 | *from passage* | 20-324*l* |
| Sec. 14 | *from passage* | 20-325a(q) |
| Sec. 15 | *from passage* | 20-325c(b) |

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|---|---|---|
| Sec. 16 | *from passage* | 20-325*l* |
| Sec. 17 | *from passage* | 20-327b |
| Sec. 18 | *from passage* | 20-327i(b) |
| Sec. 19 | *from passage* | 20-329a |
| Sec. 20 | *from passage* | 20-329hh(g) |
| Sec. 21 | *from passage* | 20-417j(a) |
| Sec. 22 | *from passage* | 20-526 |
| Sec. 23 | *from passage* | 31-222(a)(5)(K) |
| Sec. 24 | *from passage* | 42-103gg(c) |
| Sec. 25 | *from passage* | 42-484(d) |
| Sec. 26 | *from passage* | 47-17a(a) |
| Sec. 27 | *from passage* | 47-100 |
| Sec. 28 | *from passage* | 49-7f(a) |
| Sec. 29 | *from passage* | 51-87b(a) |

***Statement of Legislative Commissioners:***

Throughout Section 1, "the property" was changed to "the real property" and "the property owner" was changed to "the owner of real property" for consistency, in Section 1(c)(10), "the property owner's" was changed to "the owner of real property's" for consistency, and the title was changed.

***INS*** *Joint Favorable Subst.*