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Common Interest Community Conversion

Sec. 47-295-1. Definitions

(a) “Commissioner” means the Commissioner of Housing.

(b) “Common Interest Community” means real property described in a declaration with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for (1) real property taxes on, (2) insurance premiums on, (3) maintenance of, or (4) improvement of, any other real property other than that unit described in the declaration.

(c) “Conversion notice” means the information given a tenant as required pursuant to Section 47-284 of the General Statutes.

(d) “Declarant” means any person or group of persons acting in concert who (1) as part of a common promotional plan, offers to dispose of his interest in a unit not previously disposed of, or (2) reserves or succeeds to any special declarant right.

(e) “Department” means the Department of Housing.

(f) “Dwelling Unit” means any house or building or portion thereof which is occupied or is rented, leased or hired out to be occupied, as a home or residence of one or more persons.

(g) The definitions in Section 47-283 of the General Statutes apply to Sections 1 through 4 herein of the Regulations of Connecticut State Agencies.

(Effective May 23, 1988)

Sec. 47-295-2. Program description

(a) The Commissioner shall implement and administer a program monitoring the conversion of properties into common interest communities. If a declarant is planning to convert into a condominium or other common interest community any building which contains a unit last occupied as a rental dwelling unit, then before the common interest community is created, the declarant shall pay a \$50 registration fee per unit being converted and file with the Department such information regarding the conversion property and its tenants as is required herein. No person shall offer to sell, sell or otherwise dispose of any unit in a common interest community until such registration is duly filed and the fees are paid.

(b) The Commissioner is authorized to receive complaints of any violations of Sections 47-282 through 47-293, inclusive, of the General Statutes, and any other law concerning the conversion of dwelling units into common interest communities. The Commission shall cause investigations of such violations to be made and shall make every effort to ensure compliance with such laws. If the Commissioner believes such laws are being violated, he shall refer the matter to the Attorney General for further enforcement.

(Effective May 23, 1988)

Sec. 47-295-3. Filing requirements for common interest community conversions

(a) Registration forms, as prescribed by the Commissioner, shall be used by the declarant for the purpose of registering the conversion. The Commissioner may from time to time modify these forms, as needed to carry out the intent of the act.

(b) The required registration form shall include, but is not limited to the following information:

1. Name and address of property;
2. Date of conversion;
3. Number of units last occupied as dwelling units;

4. Number of dwelling units in conversion property as of date of the conversion notice;

5. Number of non-dwelling units in conversion property as of the date of the conversion notice;

6. Total number of units in conversion property, as of the date of the conversion notice;

7. Number of dwelling units occupied at any time during the preceding twelve months;

8. Number of tenants in all dwelling units as of the date of the conversion notice;

9. Registration fee of \$50 per unit;

10. A copy of the Public Offering Statement;

11. A copy of the Conversion Notice; and

12. Name, address and telephone number of the declarant or his representative.

(c) Six months after the delivery date of the conversion notice, the declarant shall submit to the Commissioner the information listed below:

1. Name and address of property;

2. Date of conversion notice;

3. Number of tenants that purchased their dwelling units;

4. Number of tenants that stayed in their dwelling units and did not purchase;

5. The number of tenants that moved;

6. Number, name and new address of moving tenants that received a relocation payment under Section 47-287 of the General Statutes, and the amount of each relocation payment;

7. Number of tenants against whom summary process proceedings were begun; and

8. A statement of the declarant, certified as true under the penalty of false statement, that, to the best of his knowledge and belief, all tenants entitled to a relocation payment under Section 47-287 of the General Statutes received such payment. If any tenant entitled to a relocation payment did not receive it, provide a statement explaining why the payment was not made.

(d) Nine months after the delivery of the conversion notice, the declarant shall submit to the Commissioner the information indicated below:

1. Name and address of property;

2. Date of conversion notice;

3. Number of tenants that purchased their dwelling units;

4. Number of tenants that stayed in their dwelling units and did not purchase;

5. The number of tenants that moved;

6. Number, name and new address of moving tenants that received a relocation payment under Section 47-287 of the General Statutes, and the amount of each relocation payment;

7. Number of tenants against whom summary process proceedings were begun; and

8. A statement of the declarant, certified as true under the penalty of false statement, that, to the best of his knowledge and belief, all tenants entitled to a relocation payment under Section 47-287 of the General Statutes received such payment. If any tenant entitled to a relocation payment did not receive it, provide a statement explaining why the payment was not made.

(Effective May 23, 1988)

Sec. 47-295-4. Investigation of complaints

(a) The Commissioner shall investigate any complaints filed with the Department alleging violations of Sections 47-282 to 47-293, inclusive, and Section 47a-23c of

the General Statutes, as it applies to the conversion of dwelling units into common interest communities, and any other law concerning the conversion of dwelling units into a common interest community.

(b) The Commissioner may receive complaints orally, by telephone, in writing or on a form provided for that purpose.

(c) After reviewing the complaint, the Commissioner may require from the parties all information and/or documentation he deems necessary to effectively conduct his investigation.

(d) If, in the opinion of the Commissioner, there has been a violation of the laws, he shall make every effort to ensure compliance with such laws. If he cannot obtain compliance, he shall refer the matter to the Attorney General.

(Effective May 23, 1988)