

**SENATE APPROPRIATIONS COMMITTEE  
FISCAL NOTE**

**BILL NO.** House Bill 1499

**PRINTER NO.** 3688

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

June 6, 2017

**PRIME SPONSOR**

Representative M.K. Keller

**DESCRIPTION**

House Bill 1499 amends Title 68 (Real and Personal Property) to update provisions relating to planned communities, condominiums and cooperatives.

This bill authorizes the levy of fines and the suspension of a unit owner’s access to common elements, voting rights and the right to serve on the association board for any period in which assessments are delinquent.

This legislation also establishes the requirement for a declarant’s obligation to release the real estate from liens before conveyance to the association, including unpaid real estate taxes.

House Bill 1499 provides a limitation period that clarifies an association’s right to pursue action under a warranty against structural defects is six years after the warranty begins or two years after the unit owners elect a board, whichever is later.

The definitions of common facilities are amended to include terms such as “common area” or “open space”.

The legislation adds a provision stating that if the declaration requires the association or unit owner to be responsible for operation and maintenance of storm water management facilities, the responsibility for maintenance and operation of storm water management facilities must be in compliance with the Department of Environmental Protection guidelines.

**FISCAL IMPACT:**

There is no fiscal impact on Commonwealth funds.