

2016 -- S 2259

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO PROPERTY -- CONDOMINIUM OWNERSHIP -- INSURANCE

Introduced By: Senators Walaska, Ciccone, Lombardi, McCaffrey, and Lynch Prata

Date Introduced: February 09, 2016

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-36-29 of the General Laws in Chapter 34-36 entitled
2 "Condominium Ownership" is hereby amended to read as follows:

3 **34-36-29. Insurance.** -- (a) The manager, management committee, or association of unit
4 owners, if required by the declaration, bylaws or by a majority of the unit owners, or at the
5 request of a mortgagee having a first mortgage of record covering a unit, shall have the authority
6 to, and shall, obtain insurance for the property against loss or damage by fire and other hazards
7 under the terms and for amounts as shall be required or requested. Insurance coverage shall be
8 written on the property in the name of the manager, management committee, or association of
9 unit owners, as trustee for each of the unit owners in the percentages established in the
10 declaration. Premiums on insurance shall be common expenses. Provision for insurance shall be
11 without prejudice to the right of each unit owner to insure his or her own unit for his or her
12 benefit.

13 **(b) In the event a unit owner sustains damage to their unit as a result of an event that is**
14 **covered under the insurance coverage purchased by the association in accordance with subsection**
15 **(a) of this section, then upon written request to the condominium association, the unit owner shall**
16 **be entitled to a written copy of the insurance company damage appraisal or any damage appraisal**
17 **in regard to damage to the owner's unit, within fourteen (14) calendar days of the date of the unit**
18 **owner's request, or within fourteen (14) days of the association's receipt of the damage appraisal,**
19 **whichever is later. If coverage for the damage to a unit is denied for any reason or is deemed to**

1 be valued below the policy deductible, then the unit owner shall also be entitled to receive, from
2 the association, a copy of the letter detailing the determination.

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would entitle a condominium unit owner to access, upon written request, to an
2 insurance company's damage appraisal in regard to damage to the owner's unit. This provision
3 would apply to insurance policies purchased by the condominium association or any other
4 damage appraisal.

5 This act would take effect upon passage.

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