

2026 -- H 7411

=====

LC004419

=====

S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PROPERTY -- CONDOMINIUM LAW

Introduced By: Representative Scott Slater

Date Introduced: January 30, 2026

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-36.1-4.9 of the General Laws in Chapter 34-36.1 entitled

2 "Condominium Law" is hereby amended to read as follows:

3 **34-36.1-4.09. Resale of units.**

4 (a) Except in the case of a sale where delivery of a public offering statement is required, or
5 unless exempt under § 34-36.1-4.01(b), a unit owner shall furnish to a purchaser before execution
6 of any contract for sale of a unit, or otherwise before conveyance, a copy of the declaration (other
7 than the plats and plans), the bylaws, the rules or regulations of the association, and a certificate
8 containing:

9 (1) A statement disclosing the effect on the proposed disposition of any right of first refusal
10 or other restraint on the free alienability of the unit;

11 (2) A statement setting forth the amount of the monthly common expense assessment and
12 any unpaid common expense or special assessment currently due and payable from the selling unit
13 owner;

14 (3) A statement of any other fees payable by unit owners;

15 (4) A statement of any capital expenditures anticipated by the association for the current
16 and two (2) next succeeding fiscal years;

17 (5) A statement of the amount of any reserves for capital expenditures and of any portions
18 of those reserves designated by the association for any specified projects;

19 (6) The most recent regularly prepared balance sheet and income and expense statement,

1 if any, of the association;

2 (7) The current operating budget of the association;

3 (8) A statement of any unsatisfied judgments against the association and the status of any

4 pending suits in which the association is a defendant;

5 (9) A statement describing any insurance coverage provided for the benefit of unit owners;

6 (10) A statement as to whether the executive board has knowledge that any alterations or

7 improvements to the unit or to the limited common elements assigned thereto violate any provision

8 of the declaration;

9 (11) A statement as to whether the executive board has knowledge of any violations of the

10 health or building codes with respect to the unit, the limited common elements assigned thereto, or

11 any other portion of the condominium; and

12 (12) A statement of the remaining term of any leasehold estate affecting the condominium

13 and the provisions governing any extension or renewal thereof.

14 (b)(1) The association, within ten (10) days after a request by a unit owner, shall furnish a

15 certificate containing the information necessary to enable the unit owner to comply with this

16 section.

17 (2) The association may require a unit owner to pay a fee that does not exceed: (i) one hundred twenty-five dollars (\$125) to prepare and provide an electronic version

18 or physical version of the resale certificate; or

19 (ii) Twenty-five dollars (\$25.00) to provide an updated electronic version or physical

20 version of resale certification.

21 (3) In addition to those remedies as set forth in § 34-36.1-4.17, any association that fails to

22 provide a certificate to the unit owner within ten (10) days of a written request by the unit owner is

23 subject to a civil penalty of not less than one hundred dollars (\$100) nor more than five hundred

24 dollars (\$500) per occurrence.

25 (4) A unit owner providing a certificate pursuant to subsection (a) is not liable to the

26 purchaser for any erroneous information provided by the association and included in the certificate.

27 (c) A purchaser is not liable for any unpaid assessment or fee greater than the amount set

28 forth in the certificate prepared by the association. A unit owner is not liable to a purchaser for the

29 failure or delay of the association to provide the certificate in a timely manner, but the purchaser

30 contract is voidable by the purchaser until the certificate has been provided and for five (5) days

31 thereafter or until conveyance, whichever first occurs.

1 SECTION 2. This act shall take effect on September 1, 2026.

=====

LC004419

=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PROPERTY -- CONDOMINIUM LAW

- 1 This act would require condominium associations to charge a reduced fee to update a condominium resale certificate after issuance of the initial certificate.
- 2 This act would take effect on September 1, 2026.

=====
LC004419
=====