

1 H.7

2 Introduced by Representative Lippert of Hinesburg

3 Referred to Committee on

4 Date:

5 Subject: Common interest communities

6 Statement of purpose: This bill proposes to give unit owners of common
7 interest communities the ability to demand arbitration to challenge provisions,
8 application, or enforcement of bylaws or rules of a governing association.

9 An act relating to authorizing arbitration for unit owners of condominiums
10 and common interest communities

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 27A V.S.A. § 3-125 is added to read:

13 § 3-125. DISPUTES; ARBITRATION

14 Notwithstanding any provision of law to the contrary, a unit owner
15 adversely affected by a provision of the declaration, bylaws, or rules of the
16 association may, within 45 days of the adoption, implementation, or
17 enforcement of a provision, submit to the association a written demand to
18 resolve the controversy through arbitration pursuant to the Vermont Arbitration
19 Act, 12 V.S.A. chapter 192.

1 Sec. 2. 27A V.S.A. § 1-204(a)(2) is amended to read:

2 (2) Unless excepted under section 1-203 of this title, the following
3 sections apply to a common interest community created in this state before
4 January 1, 1999: sections 1-206; 2-102, 2-117(h) and (i), 2-124, 3-103, 3-108,
5 3-110, ~~and 3-124,~~ and 3-125. The sections described in this subdivision apply
6 only to events and circumstances occurring after December 31, 2011 and do
7 not invalidate existing provisions of the declarations, bylaws, plats, or plans of
8 those common interest communities.

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on passage.