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Rhode Island's new law compliance requirements

March 03, 2010 - Owners Developers & Managers

The CAI Rhode Island Legislative Action Committee (RIALC) co-chaired by CAI members Frank Lombardi, Esq. and Edmund Allcock, Esq. work on behalf of community associations in that state championing legislation in the best interests of R.I. condominium associations and owners. As a result of RILAC work in this area, as of November 10, 2009, all unincorporated condominium associations in R.I. must file a certificate evidencing the composition of their association's executive board and list a mailing address with the office of land evidence records at the city or town hall where the condominium is located. Since those association which are incorporated, must register annually with the R.I. Secretary of State and must identify the board members and addresses, this law does not apply to them.

The purpose of the R.I. law is to make it easier for the general public or a third party to have a point of contact with the association. Say for instance, a unit owner has defaulted on a mortgage and the bank is foreclosing. In that case, in order to comply with reasonable due diligence standards of notice, the bank's attorney will be required to give the association notice at the address listed in the certificate. This will give the association time to protect its interests in the foreclosure viz a viz collecting the superlien amount or taking part in short sale negotiations, etc.

For a sample certificate that associations can refer to in preparing their own certificate for filing go to www.caine.org.

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