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Condominium update

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The Massachusetts Condominium Statute is a first generation statute. The Massachusetts Condominium Statute, Massachusetts General Laws, Chapter 183A, has been amended over the years to correct certain glaring deficiencies.

For example, Chapter 183A has recently amended to allow the use of square footage to determine the manner in which common expenses are allocated.

Also, Chapter 183A has been amended to recognize that the percentage interests in the common areas and facilities of each of the affordable units may reflect the reduced value of affordable units as long as the units remain affordable.

These changes were long overdue.

While these two changes are good, amending Chapter 183A may be just a red herring. What we really should be doing is adopting the Uniform Condominium Act in place of Chapter 183A. The Uniform Condominium Act has been adopted by a majority of the states, Rhode Island for example. I think it is time to bite the bullet and adopt a second generation statute to replace our primitive first generation statute.

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