

CHAPTER 141  
HB 502 - FINAL VERSION

8Mar2017... 0397h  
04/20/2017 1409s  
04/20/2017 1469s

2017 SESSION

17-0496  
05/01

HOUSE BILL **502**

AN ACT relative to the availability of condominium financial information to unit owners.

SPONSORS: Rep. Webb, Rock. 6; Rep. Rouillard, Hills. 6; Rep. Umberger, Carr. 2; Rep. Kotowski, Merr. 24; Rep. Pantelakos, Rock. 25; Rep. Barody, Hills. 43; Rep. M. MacKay, Hills. 30; Rep. Abbott, Ches. 1; Rep. Patten, Merr. 17; Rep. Almy, Graf. 13; Sen. Carson, Dist 14; Sen. Reagan, Dist 17; Sen. Avard, Dist 12

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill requires condominium associations to make certain financial information available to unit owners.

Explanation: Matter added to current law appears in **bold italics**.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

AN ACT relative to the availability of condominium financial information to unit owners.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

141:1 New Section; Condominium Act; Disclosure of Financial Information to Unit Owners. Amend RSA 356-B by inserting after section 37-d the following new section:

356-B:37-e Disclosure of Financial Information and Meeting Minutes to Unit Owners.

I. Financial information shall be presented on a profit and loss statement and shall be available to the unit owners 30 days prior to the annual meeting. The format of the profit and loss statement shall remain constant from year to year. It shall include specification of all revenues received in the budget year less future revenue liabilities, and specification of all expenses by general type. When the annual meeting is

held before the end of the fiscal year, year-to-date spending shall be provided in each category, and a final year-end accounting shall be sent to each unit owner within 90 days of the close of the fiscal year.

II. Each unit owner shall have access to all financial information within 15 days of the unit owner's request regarding any contracts, mortgages, loans, and the terms of such loans, and any outstanding debts and balances of all accounts held by the association. The individual accounts of unit owners shall not be included unless a lien for nonpayment of assessments or fees has been recorded, in which case, the account shall be disclosed pursuant to a request for financial information under this section.

III. Each unit owner shall have access to the names of all employees of the association and the salaries paid to employees with association funds, including any third party arrangements for services, except at time sharing condominiums where employees' salaries shall be confidential unless disclosure is consented to by the association board of directors and the condominium manager, if there is a manager. If an employee is related to a board member, or is a former officer of the association, the board shall disclose this fact to the unit owners at the next regular or annual meeting.

IV. A fee may be charged to unit owners for provision of information requested beyond the last 3 fiscal years.

V. The board of directors shall make copies of the minutes of all meetings available to the unit owners within 60 days of the meeting or 15 days of the date such minutes are approved by the board, whichever occurs first. The association may opt to provide the minutes electronically or publish them on the association website, in which case the owners shall be informed of the website address. A unit owner who submits a written request for access to the association's website shall be granted access within 15 days of the request, at no additional charge to the owner.

VI. The board of directors may approve the minutes through the use of electronic means such as email, video conferencing, fax machine, or PDF files transmitted over the Internet.

141:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 16, 2017

Effective Date: August 15, 2017