



# House of Representatives

General Assembly

**File No. 466**

January Session, 2025

Substitute House Bill No. 7078

*House of Representatives, April 2, 2025*

The Committee on Insurance and Real Estate reported through REP. WOOD of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING THE REMOVAL OF UNAUTHORIZED PERSONS FROM REAL PROPERTY, CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, REQUIRING A STUDY OF RESIDENTIAL REAL PROPERTY WHOLESALING AND REVISING THE TITLE OF A REAL ESTATE SALESPERSON TO A REAL ESTATE AGENT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1       Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:
- 2       (1) "Dwelling unit", "owner", "rental agreement" and "tenant" have
- 3       the same meanings as provided in section 47a-1 of the general statutes;
- 4       (2) "Police officer" has the same meaning as provided in section 7-
- 5       294a of the general statutes; and
- 6       (3) "Unauthorized person" means any individual who is unlawfully
- 7       occupying real property and who is not (A) a current or former tenant
- 8       of the owner of the real property, or (B) immediate family, as defined in
- 9       section 1-91 of the general statutes, of the owner of the real property.

10 (b) Any owner of real property, or such owner's authorized agent,  
11 may request from a police officer the immediate removal of any  
12 unauthorized person pursuant to this section if:

13 (1) The person requesting such removal is the owner of the real  
14 property, or such owner's authorized agent, that is being occupied by  
15 such unauthorized person;

16 (2) Such unauthorized person has unlawfully entered and remains or  
17 continues to reside on such owner's real property;

18 (3) Such owner or such owner's authorized agent has directed such  
19 unauthorized person to leave such owner's real property;

20 (4) Such unauthorized person cannot produce documentation,  
21 correspondence or identification cards issued by any governmental  
22 agency identifying that such unauthorized person resided on such real  
23 property during the immediately preceding twelve months;

24 (5) Such unauthorized person cannot produce a lease signed by such  
25 owner of real property, or such owner's authorized agent, or provide  
26 documentation of current rental payments paid by such unauthorized  
27 person to such owner, or such owner's authorized agent, to allow such  
28 unauthorized person to reside on such real property; and

29 (6) There is no pending litigation related to such real property  
30 between such owner of real property and such unauthorized person  
31 occupying such real property.

32 (c) To request the immediate removal of any unauthorized person,  
33 the owner of the real property, or such owner's authorized agent, shall  
34 submit a completed Affidavit Concerning the Removal of Persons  
35 Unlawfully Occupying A Dwelling Unit to a police officer. The  
36 submitted affidavit shall be in substantially the following form:

37 AFFIDAVIT CONCERNING THE REMOVAL OF PERSONS  
38 UNLAWFULLY OCCUPYING A DWELLING UNIT

39 I, the owner or authorized agent of the owner of the real property  
40 located at ... .., declare under the penalty of perjury that (initial each  
41 box):

42 1. ... .. I am the owner of the real property or the authorized agent of  
43 the owner of the real property.

44 2. ... .. I purchased the real property on ... ..

45 3. ... .. An unauthorized person or persons have unlawfully entered  
46 and are remaining or residing unlawfully on the real property.

47 4. ... .. I have directed the unauthorized person or persons to leave  
48 the real property, but they have not done so.

49 5. ... .. The person or persons are not current or former tenants  
50 pursuant to any valid lease authorized by the owner of real property.  
51 The person or persons are unable to provide documentation of rental  
52 payments for such person or persons to reside on such real property,  
53 and any lease that may be produced by such person or persons is  
54 fraudulent.

55 6. ... .. The unauthorized person or persons sought to be removed are  
56 not an owner or a co-owner of the real property and have not been listed  
57 on the title to the real property unless the person or persons have  
58 engaged in slander of the title.

59 7. ... .. The unauthorized person or persons are not immediate family  
60 members of the owner of real property.

61 8. ... .. There is no litigation related to the real property pending  
62 between the owner of real property and any person sought to be  
63 removed from the real property.

64 9. ... .. I am requesting a police officer to immediately remove the  
65 unauthorized person or persons from the real property.

66 10. ... .. A copy of my valid government-issued identification is  
67 attached, or I am an agent of the owner of real property, and documents

68 evidencing my authority to act on the owner of real property's behalf  
69 are attached.

70 I HAVE READ EVERY STATEMENT MADE IN THIS AFFIDAVIT  
71 AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND  
72 THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE MADE  
73 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN  
74 SECTION 53A-156 OF THE GENERAL STATUTES.

75 Signed this .... day of ..., 20...

76 Witnessed by ....

77 ....

78 (Acknowledgment)

79 (d) Upon receipt of an affidavit submitted pursuant to subsection (c)  
80 of this section, the police officer shall verify that the person submitting  
81 such affidavit is the record owner of the real property or the authorized  
82 agent of such record owner and appears otherwise entitled to relief  
83 under this section. If verified, the police officer shall, without delay,  
84 serve a notice to immediately vacate on any unauthorized person  
85 occupying such real property and shall put such record owner of such  
86 real property in possession of such real property. Service may be  
87 accomplished by hand delivery of the notice to an occupant of the real  
88 property or by posting such notice on the front door or entrance of such  
89 real property. Such police officer shall attempt to verify the identity of  
90 each person occupying the dwelling and note such identity on the return  
91 of services.

92 (e) Any person may bring a civil cause of action against the owner of  
93 the real property or such owner's authorized agent for wrongful  
94 removal under this section. A person harmed by a wrongful removal  
95 under this section may be restored to possession of the real property and  
96 may recover actual costs and damages incurred, statutory damages  
97 equal to triple the fair market rent of the dwelling, court costs and  
98 reasonable attorney's fees.

99 (f) This section does not limit the rights of any owner of real property  
100 or limit the authority of any police officer to arrest any unlawful  
101 occupant for trespassing, vandalism, theft or other crimes.

102 Sec. 2. Section 20-319 of the general statutes is repealed and the  
103 following is substituted in lieu thereof (*Effective October 1, 2025*):

104 (a) The commission shall authorize the department to issue a two-  
105 year renewal license to any applicant who possesses the qualifications  
106 specified in, and has otherwise complied with the provisions of, this  
107 chapter and any regulation adopted pursuant to this chapter. The  
108 commission shall authorize the department to issue a two-year renewal  
109 of a real estate broker's license to any business entity licensed pursuant  
110 to subsection (b) of section 20-312, provided such business entity: (1)  
111 Was so licensed as of September 30, 2005, notwithstanding the fact such  
112 business entity does not meet the requirements for publicly traded  
113 corporations required by subdivision (5) of subsection (b) of section 20-  
114 312, or (2) changes such business entity's designated broker pursuant to  
115 subsection (c) of section 20-312.

116 (b) There are hereby established two-year renewal licenses to be  
117 issued by the department to real estate licensees. Each real estate  
118 licensee who files an application with the department seeking a two-  
119 year renewal license shall fulfill a continuing education requirement.  
120 Each applicant for a two-year renewal license shall, in addition to the  
121 other requirements imposed by the provisions of this chapter, submit to  
122 the commission or department proof that such applicant is in  
123 compliance with the continuing education requirements established in  
124 this section. Each real estate licensee shall pay a biennial eight-dollar  
125 continuing education processing fee to cover the administrative costs  
126 associated with reviewing and auditing continuing education  
127 submissions. The continuing education requirement for real estate  
128 licensees may be satisfied by successful completion of any of the  
129 following during the two-year period preceding a renewal: (1) A course  
130 or courses of not less than two hours per course, approved by the  
131 commission or department, of continuing education in current real

132 estate practices and licensing laws, including, but not limited to,  
133 practices and laws concerning common interest communities,  
134 consisting of not less than twelve hours of classroom study; or (2) a  
135 written examination prepared and administered by either the  
136 department, or by a national testing service approved by the  
137 department, which demonstrates a knowledge of current real estate  
138 practices and licensing laws; or (3) equivalent continuing educational  
139 experience or study as determined by regulations adopted pursuant to  
140 subsection (d) of this section. Any course approved by the commission  
141 or department under subdivision (1) of this subsection may be offered  
142 at any office of a real estate broker or a real estate franchise. An applicant  
143 for examination under subdivision (2) of this subsection shall pay the  
144 required examination fee to the national testing service, if administered  
145 by such testing service, or to the department, if administered by the  
146 department.

147 (c) If the commission or department refuses to grant a two-year  
148 renewal license, the licensee or applicant, upon written notice received  
149 as provided for in this chapter, may have recourse to any of the remedies  
150 provided by sections 20-314, as amended by this act, and 20-322.

151 (d) The Commissioner of Consumer Protection, in consultation with  
152 the commission, shall adopt regulations, in accordance with chapter 54,  
153 to establish continuing education requirements. Such regulations shall  
154 include, but not be limited to: (1) Specifications for meeting equivalent  
155 continuing educational experience or study; and (2) exceptions from  
156 continuous education requirements for reasons of health or instances of  
157 individual hardship.

158 (e) If a real estate licensee fails to satisfy the continuing education  
159 requirements established pursuant to this section for any two-year  
160 license period, the real estate licensee shall pay to the department a fee  
161 in the amount of:

162 (1) Three hundred fifteen dollars if such licensee reports to the  
163 department, in a form and manner prescribed by the department, that  
164 such real estate licensee failed to satisfy such continuing education

165 requirements during such license period but completed such continuing  
166 education requirements not later than two months after such license  
167 period expired; or

168 (2) Six hundred twenty-five dollars if such licensee reports to the  
169 department, in a form and manner prescribed by the department, that  
170 such real estate licensee failed to satisfy such continuing education  
171 requirements during such license period but completed such continuing  
172 education requirements more than two months after such license period  
173 expired but not later than four months after such license period expired.

174 Sec. 3. (*Effective from passage*) (a) The Commissioner of Consumer  
175 Protection shall conduct a study of residential real property wholesaling  
176 business practices in this state and hold not less than one public hearing  
177 on such residential real property wholesaling business practices. The  
178 Commissioner of Consumer Protection shall invite representatives who  
179 may have expertise in the residential real property wholesaling industry  
180 to participate in any such public hearing, including, but not limited to,  
181 real estate brokers, real estate agents or representatives of any entities  
182 engaged in residential real property wholesaling in this state.

183 (b) Not later than February 1, 2026, the Commissioner of Consumer  
184 Protection shall submit a report, in accordance with the provisions of  
185 section 11-4a of the general statutes, to the joint standing committee of  
186 the General Assembly having cognizance of matters relating to  
187 insurance on the findings of such study conducted pursuant to the  
188 provisions of subsection (a) of this section.

189 Sec. 4. Subdivision (2) of subsection (a) of section 8-169aa of the  
190 general statutes is repealed and the following is substituted in lieu  
191 thereof (*Effective from passage*):

192 (2) "Actively marketed" means (A) a sign has been placed on a  
193 property advertising sale of such property, (B) the owner of such  
194 property has (i) hired a real estate broker or [salesperson] agent, licensed  
195 pursuant to section 20-312, as amended by this act, to include the  
196 property in the multiple listing service or to otherwise market the

197 property, (ii) placed advertisements weekly, or more frequently, in print  
198 or electronic media, or (iii) distributed printed advertisements, and (C)  
199 such sign contains accurate contact information for such owner or real  
200 estate broker or [salesperson] agent;

201 Sec. 5. Subsection (b) of section 10a-123 of the general statutes is  
202 repealed and the following is substituted in lieu thereof (*Effective from*  
203 *passage*):

204 (b) The purposes, objectives and duties of said center shall be as  
205 follows: (1) To conduct studies in real estate and urban economics and  
206 to publish and disseminate the findings and results of such studies; (2)  
207 to assist the teaching program in real estate offered by The University of  
208 Connecticut; (3) to supply material to the Connecticut Real Estate  
209 Commission for the preparation by it of examinations for real estate  
210 [salespersons] agents and brokers, if requested to do so by the  
211 commission; (4) to develop and from time to time revise and update  
212 materials for use in the extension courses in real estate offered by The  
213 University of Connecticut; and (5) to assist the Connecticut Real Estate  
214 Commission in developing standards for the accreditation of technical  
215 education and career schools and other teaching agencies giving courses  
216 in the field of real estate and standards for the approval of courses in the  
217 field of real estate, as and when requested to do so by the commission.

218 Sec. 6. Section 20-311 of the general statutes is repealed and the  
219 following is substituted in lieu thereof (*Effective from passage*):

220 As used in this chapter, unless the context otherwise requires:

221 (1) "Advertising" (A) means disseminating, publishing or causing to  
222 be posted by way of any (i) print media, including, but not limited to,  
223 outdoor signage and periodicals, (ii) audio or video broadcast,  
224 streaming or other electronic dissemination, or (iii) written or  
225 photographic material disseminated or posted via online, telephonic  
226 notification, electronic mail or other electronic means, and (B) does not  
227 include any (i) stockholder communication, including, but not limited  
228 to, any annual report, interim financial report, proxy material,



229 registration statement, securities prospectus or application for listing a  
230 security on a stock exchange, (ii) prospectus, property report, offering  
231 statement or other document that any federal agency or agency of  
232 another state requires be delivered to a prospective purchaser, (iii)  
233 communication addressed to, and relating to the account of, a person  
234 who has executed a contract for the purchase of a subdivider's lands,  
235 except if such communication concerns the sale of additional lands, or  
236 (iv) press release or other communication delivered to a media outlet for  
237 general information or public relations purposes, provided no charge is  
238 imposed by such media outlet for publication or use of any part of such  
239 communication;

240 (2) "Affiliated" means having a working relationship with a real estate  
241 licensee by way of an (A) employer-employee relationship, or (B)  
242 independent contractor relationship;

243 (3) "Associate broker" means a real estate broker who (A) is affiliated  
244 with a supervising licensee as an independent contractor or employed  
245 by a supervising licensee, and (B) has the authority to engage in the real  
246 estate business on behalf of such supervising licensee;

247 (4) "Business entity" means any association, corporation, limited  
248 liability company, limited liability partnership or partnership;

249 (5) "Commercial real estate transaction" means any transaction  
250 involving the sale, exchange, lease or sublease of real property other  
251 than (A) real property containing any building or structure occupied, or  
252 intended to be occupied, by not more than four families, or (B) a single  
253 building lot to be used for family or household purposes;

254 (6) "Commission" means the Connecticut Real Estate Commission  
255 appointed under the provisions of section 20-311a, as amended by this  
256 act;

257 (7) "Confidential information" means any fact concerning a person's  
258 assets, expenses, income, liabilities, motivations to purchase, rent or sell  
259 real property and previous offers received or made to purchase or lease

260 real property which (A) a client has not authorized for release, or (B) is  
261 not (i) a matter of general knowledge, (ii) part of a public record or file  
262 to which access is authorized pursuant to section 1-210, or (iii) otherwise  
263 subject to disclosure under any other provision of the general statutes  
264 or regulations of Connecticut state agencies;

265 (8) "Custodial broker" means any individual who is (A) licensed as a  
266 real estate broker, and (B) temporarily appointed solely to (i) conclude  
267 the real estate business matters of another broker who is deceased or  
268 incapacitated, (ii) transition such matters to a real estate broker who is  
269 alive and not incapacitated, or (iii) assist in transitioning the deceased  
270 or incapacitated broker's ownership interest in a business entity that is  
271 engaged in the real estate business for the purpose of satisfying the  
272 requirements established in section 20-312, as amended by this act;

273 (9) "Department" means the Department of Consumer Protection;

274 (10) "Designated agency" means the appointment by a real estate  
275 broker of one or more brokers or [salespersons] agents affiliated with or  
276 employed by the real estate broker to solely represent a buyer or tenant  
277 as a designated buyer's agent and appoint another to represent a seller  
278 or landlord as a designated seller's agent in a transaction;

279 (11) "Designated broker" means the individual real estate broker  
280 whom a real estate broker business entity names as the individual  
281 broker responsible for the supervision and overall operation of such  
282 business entity's engagement in the real estate business in this state;

283 (12) "Designated buyer agent" means a real estate licensee who is  
284 designated by the real estate broker by whom such real estate licensee  
285 is employed, or with whom such real estate licensee is affiliated, solely  
286 to represent a named buyer or tenant client of the real estate broker  
287 during the term of a buyer representation agreement or authorization;

288 (13) "Designated seller agent" means a real estate licensee who is  
289 designated by the real estate broker by whom such real estate licensee  
290 is employed, or with whom such real estate licensee is affiliated, solely

291 to represent a named seller or landlord client of the real estate broker  
292 during the term of a listing agreement or authorization;

293 (14) "Development owner" means (A) the owner of record of a  
294 multiunit development that is offered for lease, or (B) the parent  
295 company of such owner of record if such parent company holds a one  
296 hundred per cent ownership interest in such owner of record;

297 (15) "Engage in the real estate business" means to, while acting for  
298 another and for a fee, commission or other valuable consideration,  
299 negotiate for or offer, or attempt to list for sale, sell, exchange, buy or  
300 rent, an estate or interest in real estate or to resell a mobile manufactured  
301 home, as defined in section 21-64;

302 (16) "Incapacity" means any physical or mental incapacity which  
303 prevents an individual from substantially satisfying such individual's  
304 duties and responsibilities as a real estate licensee;

305 (17) "Influence residential real estate appraisals" includes, but is not  
306 limited to, refusing or intentional failing to refer a homebuyer, or  
307 encouraging other real estate licensees not to refer a homebuyer, to a  
308 mortgage broker or lender, as such terms are defined in section 36a-760,  
309 based solely on the fact that the mortgage broker or lender uses an  
310 appraiser who has provided an appraisal reflecting a fair market value  
311 estimate that was less than the sale contract price;

312 (18) "Leasing agent" means any individual, other than a real estate  
313 licensee, who (A) acts as an agent for a principal for a commission, fee  
314 or other valuable consideration, and (B) engages in leasing or renting  
315 activity, including, but not limited to, (i) collecting security deposits, (ii)  
316 offering or attempting to negotiate a rental, or (iii) collecting, offering or  
317 attempting to collect rent for the use of real estate;

318 (19) "Multiunit development" means any residential complex with at  
319 least fifty units that are leased or available to be leased;

320 (20) "Negotiate" means acting, directly or indirectly, as an  
321 intermediary by facilitating, or participating in, communications

322 between parties related to the parties' interests in a real estate or mobile  
323 manufactured home transaction;

324 (21) "Nonmaterial fact concerning real property" means any fact, set  
325 of facts or circumstances surrounding real property which includes, but  
326 is not limited to, the fact that (A) an occupant of real property is or has  
327 been infected with a disease on the list of reportable diseases, emergency  
328 illnesses and health conditions issued by the Commissioner of Public  
329 Health pursuant to section 19a-2a, or (B) the real property was at any  
330 time suspected to have been the site of a death or felony;

331 (22) "Person" means any individual or business entity;

332 (23) "Promotional note" (A) means any promissory note that (i) is  
333 secured by a trust deed executed (I) on unimproved real property, (II)  
334 after construction of an improvement of real property but before the first  
335 sale of such property so improved, or (III) as a means of financing the  
336 first purchase of such property so improved, and (ii) is subordinate, or  
337 which by its terms may become subordinate, to any other trust deed on  
338 such property, and (B) does not include any note which was executed  
339 more than three years prior to being offered for sale or was secured by  
340 a first trust deed on real property in a subdivision, which evidences a  
341 bona fide loan made in connection with the financing of the usual costs  
342 of the development of one or more residential, commercial or industrial  
343 buildings on the property under a written agreement providing (i) for  
344 either the disbursement of the loan funds as costs are incurred or in  
345 relation to the progress of the work, and (ii) for title insurance insuring  
346 the priority of the security as against mechanic's liens or for the final  
347 disbursement of at least ten per cent of the loan funds after the  
348 expiration of the period for the filing of mechanic's liens;

349 (24) "Prospective party" means any person that communicates with a  
350 real estate licensee in contemplation of potential representation by the  
351 real estate licensee in a real estate transaction;

352 (25) "Real estate broker" or "broker" means (A) any person engaged  
353 in the real estate business, and (B) any person employed by or on behalf

354 of the owner or owners of lots or other parcels of real estate, at a stated  
355 salary, upon commission, upon a salary and commission basis or  
356 otherwise to sell such real estate, or any parts thereof, in lots or other  
357 parcels, and who sells or exchanges, or offers, attempts or agrees to  
358 negotiate the sale or exchange of, any such lot or parcel of real estate;

359 (26) "Real estate licensee" means any real estate broker or real estate  
360 [salesperson] agent licensed pursuant to this chapter;

361 (27) ["Real estate salesperson" or "salesperson"] "Real estate agent" or  
362 "agent" means any individual who is affiliated with a supervising  
363 licensee to (A) engage in the real estate business for or on behalf of such  
364 supervising licensee, or (B) if such individual is acting for another  
365 person as a designated seller agent or designated buyer agent, engage  
366 in the real estate business;

367 (28) "Real estate transaction" means any transaction in which (A) real  
368 property is legally transferred to another person, or (B) a lease  
369 agreement is executed between a landlord and a tenant;

370 (29) "Residential real property" means any one to four-family  
371 residential real estate located in this state, including, but not limited to,  
372 (A) a cooperative or condominium where the total number of units in  
373 such cooperative or condominium does not exceed four units, and (B)  
374 any individual unit within a multiunit development;

375 (30) "School" means any person that offers prelicensing or continuing  
376 education courses approved pursuant to this chapter;

377 (31) "Supervising licensee" means the real estate broker that is  
378 responsible for controlling and supervising another real estate licensee  
379 or a team;

380 (32) "Team" means any combination of at least two licensed real estate  
381 brokers, designated brokers or real estate [salespersons] agents who are  
382 affiliated with the same supervising licensee and engage in advertising  
383 as a group using a team name; and

384 (33) "Team name" means the name used to refer to a team in team  
385 advertisements.

386 Sec. 7. Subsection (b) of section 20-311a of the general statutes is  
387 repealed and the following is substituted in lieu thereof (*Effective from*  
388 *passage*):

389 (b) The commission shall consist of eight persons, electors of the state,  
390 appointed by the Governor. Three of the members shall be at the time  
391 of appointment licensed real estate brokers, two of the members shall be  
392 at the time of appointment licensed real estate [salespersons] agents and  
393 three of the members shall be public members. Not more than a bare  
394 majority of the commission shall be members of the same political party  
395 and there shall be at least one member from each congressional district.

396 Sec. 8. Subsection (e) of section 20-312 of the general statutes is  
397 repealed and the following is substituted in lieu thereof (*Effective from*  
398 *passage*):

399 (e) Each team shall register, on a form and in a manner prescribed by  
400 the Commissioner of Consumer Protection, with the department. Each  
401 initial registration shall be valid for a period of one year and be subject  
402 to renewal for additional one-year periods. Each team shall pay to the  
403 department an initial registration fee of five hundred sixty-five dollars  
404 when the team files its initial registration, and a registration renewal fee  
405 of three hundred seventy-five dollars when the team files each  
406 registration renewal, pursuant to this subparagraph. Each team shall  
407 include in each registration form that the team files with the department  
408 pursuant to this subsection:

409 (1) Such team's team name, which shall:

410 (A) Include the full name of at least one licensed real estate broker or  
411 real estate [salesperson] agent who is part of such team or be  
412 immediately followed by "at/of"; [full name of the team's supervising  
413 licensee;]

414 (B) Not include the name of any individual who is not a licensed real

415 estate broker or real estate [salesperson] agent; and

416 (C) With the exception of "team", not include any abbreviation, term  
417 or phrase, including, but not limited to, "associates", "company",  
418 "corporation", "group", "LLC", "real estate" or "realty", that implies that  
419 such team is a business entity;

420 (2) The name of, and contact information for, such team's supervising  
421 licensee, who shall serve as such team's primary contact, ensure that  
422 such team complies with all applicable laws and regulations concerning  
423 team advertisements and ensure that such team timely files accurate  
424 registration forms and registration updates with the department  
425 pursuant to this subsection; and

426 (3) The name and contact information for each real estate broker or  
427 real estate [salesperson] agent who is part of such team.

428 Sec. 9. Section 20-312a of the general statutes is repealed and the  
429 following is substituted in lieu thereof (*Effective from passage*):

430 In any action brought by a third party against a real estate  
431 [salesperson] agent affiliated with a real estate broker as an independent  
432 contractor, such broker shall be liable to the same extent as if such  
433 affiliate had been employed as a real estate [salesperson] agent by such  
434 broker.

435 Sec. 10. Subsection (b) of section 20-312c of the general statutes is  
436 repealed and the following is substituted in lieu thereof (*Effective from*  
437 *passage*):

438 (b) Each supervising licensee shall be responsible for the actions of  
439 the associate brokers who are under such supervising licensee's control  
440 and supervision to the same extent that such supervising licensee would  
441 be responsible for such associate brokers if such associate brokers were  
442 real estate [salespersons] agents affiliated with such supervising  
443 licensee.

444 Sec. 11. Section 20-314 of the general statutes is repealed and the

445 following is substituted in lieu thereof (*Effective from passage*):

446 (a) Licenses shall be granted under this chapter only to persons who  
447 bear a good reputation for honesty, truthfulness and fair dealing and  
448 who are competent to transact the business of a real estate broker or real  
449 estate [salesperson] agent in such manner as to safeguard the interests  
450 of the public.

451 (b) Each application for a license or for a renewal thereof shall be  
452 made in writing, on such forms and in such manner as is prescribed by  
453 the department.

454 (c) In order to determine the competency of any applicant for a real  
455 estate licensee's license, the commission or Commissioner of Consumer  
456 Protection shall, on payment of an application fee of one hundred  
457 twenty dollars by an applicant for a real estate broker's license or an  
458 application fee of eighty dollars by an applicant for a real estate  
459 [salesperson's] agent's license, subject such applicant to personal written  
460 examination as to the applicant's competency to act as a real estate  
461 broker or real estate [salesperson] agent, as the case may be. Each  
462 examination shall be prepared by the department or by a national  
463 testing service designated by the commissioner and shall be  
464 administered to applicants by the department or by such testing service  
465 at such times and places as the commissioner may deem necessary. The  
466 commission or commissioner may waive the uniform portion of the  
467 written examination requirement in the case of an applicant who has  
468 taken the national testing service examination in another state within  
469 two years from the date of application and has received a score deemed  
470 satisfactory by the commission or commissioner. The commissioner  
471 shall adopt regulations, in accordance with chapter 54, establishing  
472 passing scores for examinations. In addition to such application fee,  
473 applicants taking the examination administered by a national testing  
474 service shall be required to pay directly to such testing service an  
475 examination fee covering the cost of such examination. Each payment of  
476 such application fee shall entitle the applicant to take such examination  
477 within the one-year period from the date of payment.



478 (d) (1) Each applicant shall, before being admitted to such  
479 examination, prove to the satisfaction of the commission or the  
480 Commissioner of Consumer Protection that the applicant (A) (i) has  
481 been actively engaged as a licensed real estate [salesperson] agent under  
482 the supervision of a supervising licensee, who is licensed in this state,  
483 for a minimum period of three years immediately preceding the date the  
484 applicant filed such applicant's application, during which period such  
485 [salesperson] agent engaged in the real estate business for at least one  
486 thousand five hundred hours and such supervising licensee, or such  
487 supervising licensee's authorized representative, has certified the  
488 accuracy of a record of such applicant's active engagement on a form  
489 provided by such applicant to such supervising licensee or authorized  
490 representative, (ii) has successfully completed a course approved by the  
491 commission or commissioner in real estate principles and practices of at  
492 least sixty classroom hours of study, (iii) has successfully completed a  
493 course approved by the commission or commissioner in real estate legal  
494 compliance consisting of at least fifteen classroom hours of study, (iv)  
495 has successfully completed a course approved by the commission or  
496 commissioner in real estate brokerage principles and practices  
497 consisting of at least fifteen classroom hours, (v) has successfully  
498 completed two elective courses, each consisting of fifteen classroom  
499 hours of study, as prescribed by the commission or commissioner, and  
500 (vi) has represented a seller, buyer, lessor or lessee in at least four real  
501 estate transactions that closed during the three years immediately  
502 preceding the date on which such applicant filed such applicant's  
503 application, or (B) has equivalent experience or education as determined  
504 by the commission or commissioner. Each supervising licensee, or  
505 authorized representative of such supervising licensee, shall certify the  
506 accuracy or inaccuracy of a record provided by an applicant to such  
507 supervising licensee or authorized representative under subparagraph  
508 (A)(i) of this subdivision not later than ninety days after such applicant  
509 provides such record to such supervising licensee or authorized  
510 representative.

511 (2) The commission or the commissioner shall waive the elective  
512 courses under subparagraph (A)(v) of subdivision (1) of this subsection

513 if the applicant has successfully completed at least twenty real estate  
514 transactions within five years immediately preceding the date of  
515 application.

516 (3) Each applicant for a real estate [salesperson's] agent's license shall,  
517 before being admitted to such examination, prove to the satisfaction of  
518 the commission or the commissioner that the applicant (A) has  
519 successfully completed a course approved by the commission or  
520 commissioner in real estate principles and practices consisting of at least  
521 sixty classroom hours of study, or (B) has equivalent experience or  
522 education as determined by the commission or commissioner.

523 (e) The provisions of subsections (c) and (d) of this section shall not  
524 apply to any renewal of a real estate broker's license, or a real estate  
525 [salesperson's] agent's license issued prior to October 1, 1973.

526 (f) All licenses issued under the provisions of this chapter shall expire  
527 biennially. At the time of application for a real estate broker's license,  
528 there shall be paid to the department, for each individual applicant and  
529 for each business entity, the sum of one thousand one hundred thirty  
530 dollars, and for the biennial renewal thereof, the sum of seven hundred  
531 fifty dollars, except that for licenses expiring on March 31, 2022, a  
532 prorated renewal fee shall be charged to reflect the fact that the March  
533 2022, renewal shall expire on November 30, 2023. At the time of  
534 application for a real estate [salesperson's] agent's license, there shall be  
535 paid to the department five hundred seventy dollars and for the biennial  
536 renewal thereof the sum of five hundred seventy dollars. Six dollars of  
537 each such biennial renewal fee shall be payable to the Real Estate  
538 Guaranty Fund established pursuant to section 20-324a. A real estate  
539 broker's license issued to any business entity shall entitle the designated  
540 broker, upon compliance with the terms of this chapter, but without the  
541 payment of any further fee, to perform all of the acts of a real estate  
542 broker under this chapter on behalf of such business entity. Any license  
543 which expires and is not renewed on or before the ninetieth day  
544 following the expiration date of such license may be reinstated by the  
545 commission or department, in the commission's or department's

546 discretion, provided such license has expired for less than three years  
547 and the former licensee (1) attests that such former licensee did not work  
548 in this state in the occupation or profession in which such former  
549 licensee was licensed while such former licensee's license was lapsed,  
550 (2) pays the renewal fee due for such license for the year in which such  
551 license is reinstated, and (3) completes any continuing education  
552 required for such license for the year preceding such reinstatement. If  
553 an applicant for reinstatement worked in this state in the occupation or  
554 profession in which such applicant was formerly licensed while such  
555 license was lapsed, the applicant shall pay all license and late fees due  
556 and owing for the lapse period and demonstrate that such applicant has  
557 completed all continuing education required for such license for the  
558 year preceding such reinstatement. Such late fees shall be assessed for  
559 each real estate broker's license in the amount of three hundred seventy-  
560 five dollars and for each real estate [salesperson's] agent's license in the  
561 amount of two hundred eighty-five dollars for each year or fraction  
562 thereof from the date of expiration of the previous license to the date of  
563 payment for reinstatement. If a license has lapsed for at least three years,  
564 the former licensee is ineligible for reinstatement under this subsection  
565 and may apply for a new license. Notwithstanding any contrary  
566 provision of this subsection, a former licensee whose license expired  
567 after such former licensee entered military service shall be reinstated  
568 without payment of any fee if an application for reinstatement is filed  
569 with the commission or department before the third anniversary of such  
570 expiration date, and the former licensee provides evidence that is  
571 sufficient to demonstrate to the commission or department that such  
572 former licensee completed at least six hours of continuing education for  
573 such license, including, but not limited to, the mandatory continuing  
574 education required for such license, during the calendar year preceding  
575 the date on which such application for reinstatement is filed. Any such  
576 reinstated broker's license shall expire on the next succeeding  
577 November thirtieth. Any such reinstated real estate [salesperson's]  
578 agent's license shall expire on the next succeeding May thirty-first.

579 (g) Following a denial of a license or license renewal application filed  
580 under this section, the department shall send a notice to the applicant

581 who filed such application disclosing such denial and that such  
582 applicant may request a hearing by submitting to the Commissioner of  
583 Consumer Protection a written hearing request not later than thirty days  
584 after the date such denial notice was sent to such applicant. If the  
585 applicant requests a hearing during such thirty-day period, the  
586 department shall send a notice to such applicant disclosing the grounds  
587 for such denial and conduct a hearing concerning such denial in  
588 accordance with the provisions of chapter 54. If the commissioner's  
589 denial is sustained after such hearing, the applicant may file a new  
590 application for such license or license renewal not sooner than one year  
591 after the date on which such denial was sustained.

592 Sec. 12. Subsection (a) of section 20-319a of the general statutes is  
593 repealed and the following is substituted in lieu thereof (*Effective from*  
594 *passage*):

595 (a) Each licensed real estate [salesperson] agent or associate broker  
596 who transfers such real estate [salesperson's] agent's or associate  
597 broker's affiliation with a broker or property owner shall register such  
598 transfer with, and pay a registration fee of twenty-five dollars to, the  
599 department.

600 Sec. 13. Section 20-324l of the general statutes is repealed and the  
601 following is substituted in lieu thereof (*Effective from passage*):

602 No leasing agent shall engage in the real estate business except for  
603 leasing or renting real property that is exclusively used for residential  
604 occupancy. Leasing agents shall not engage in any activity that requires  
605 a real estate broker's or real estate [salesperson's] agent's license,  
606 including, but not limited to, selling, offering, listing, negotiating,  
607 referring or showing for sale, entering into lease-to-own agreements or  
608 leasing commercial real estate. A leasing agent shall be employed by a  
609 development owner. A leasing agent shall not offer leasing services for  
610 any person that is not a development owner. No leasing agent shall  
611 engage in the real estate business concerning any property other than  
612 on behalf of the owner of record of a multiunit development that  
613 employs such leasing agent. A leasing agent shall obtain a written

614 contract from the development owner to demonstrate such employment  
615 prior to engaging in any leasing activity at such development. Such  
616 contract shall be made available to the department, and produced by the  
617 leasing agent in an electronic form, upon a request by the department  
618 for such contract.

619 Sec. 14. Subsection (q) of section 20-325a of the general statutes is  
620 repealed and the following is substituted in lieu thereof (*Effective from*  
621 *passage*):

622 (q) The provisions of subsections (a) and (b) of this section shall not  
623 apply to any (1) person excepted from the provisions of this chapter by  
624 section 20-329 with respect to any acts performed by the person which  
625 are included in such exception; or (2) real estate broker or real estate  
626 [salesperson] agent who has provided services to the federal  
627 government, any political subdivision thereof, or any corporation,  
628 institution or quasi-governmental agency chartered by the federal  
629 government.

630 Sec. 15. Subsection (b) of section 20-325c of the general statutes is  
631 repealed and the following is substituted in lieu thereof (*Effective from*  
632 *passage*):

633 (b) Any disclosure made pursuant to subsection (a) of this section  
634 shall be made to and acknowledged by the buyer prior to the time the  
635 buyer signs a contract with the real estate licensee for mortgage  
636 brokering services. Such disclosure shall include the following notice  
637 printed in at least ten-point boldface capital letters:

638 I UNDERSTAND THAT THE REAL ESTATE BROKER OR  
639 [SALESPERSON] AGENT IN THIS TRANSACTION HAS OFFERED  
640 TO ASSIST ME IN FINDING A MORTGAGE LOAN. ADDITIONALLY,  
641 I UNDERSTAND THAT THIS REAL ESTATE BROKER OR  
642 [SALESPERSON] AGENT DOES NOT REPRESENT ANY  
643 PARTICULAR MORTGAGE LENDER AND WILL ATTEMPT TO  
644 OBTAIN THE BEST TERMS AVAILABLE WITHIN THE MORTGAGE  
645 LOAN MARKET FOR MY SPECIFIC HOME FINANCING NEEDS. IF

646 THE REAL ESTATE BROKER OR [SALESPERSON] AGENT DOES  
647 NOT FULFILL [HIS] SUCH BROKER'S OR AGENT'S FIDUCIARY  
648 OBLIGATION I MAY FILE A COMPLAINT WITH THE  
649 DEPARTMENT OF BANKING. I ALSO UNDERSTAND THAT I MAY  
650 ATTEMPT TO FIND A MORTGAGE LOAN TO FINANCE THE  
651 PURCHASE OF MY HOME WITHOUT THE ASSISTANCE OF THE  
652 REAL ESTATE BROKER OR [SALESPERSON] AGENT IN WHICH  
653 CASE I WILL NOT BE OBLIGATED TO PAY A FEE TO THE REAL  
654 ESTATE BROKER OR [SALESPERSON] AGENT.

655 Sec. 16. Section 20-325*l* of the general statutes is repealed and the  
656 following is substituted in lieu thereof (*Effective from passage*):

657 (a) An out-of-state broker may perform acts with respect to a  
658 commercial real estate transaction that require a license under this  
659 chapter, provided the out-of-state broker:

660 (1) Works in cooperation with a licensed broker, whether in a  
661 cobrokerage, referral or other cooperative agreement or arrangement;

662 (2) Enters into a written agreement with a licensed broker that  
663 includes the terms of cooperation and any compensation to be paid by  
664 the licensed broker and a statement that the out-of-state broker and the  
665 out-of-state broker's agents will comply with the laws of this state;

666 (3) Provides the licensed broker a copy of the out-of-state broker's  
667 license or other proof of licensure from the states where the out-of-state  
668 broker maintains a license as a real estate broker;

669 (4) Deposits all escrow funds, security deposits, and other money  
670 received pursuant to the commercial real estate transaction to be held as  
671 provided in section 20-324k unless the agreement required in  
672 subdivision (2) of this subsection specifies otherwise;

673 (5) Complies with the laws of this state with respect to the transaction;  
674 and

675 (6) Is credentialled as a real estate broker in another state.

676 (b) An out-of-state [salesperson] agent may perform acts with respect  
677 to a commercial real estate transaction that require a license as a real  
678 estate [salesperson] agent under this chapter, provided the out-of-state  
679 [salesperson] agent complies with the laws of this state with respect to  
680 the transaction and:

681 (1) Works under the direct supervision of an out-of-state broker who  
682 meets the requirements set forth in subdivisions (1), (5) and (6) of  
683 subsection (a) of this section; and

684 (2) Provides the licensed broker who is working in cooperation with  
685 the out-of-state broker a copy of the out-of-state [salesperson's] agent's  
686 license or other proof of licensure from the states where the out-of-state  
687 [salesperson] agent maintains a license as a real estate [salesperson]  
688 agent.

689 (c) Any out-of-state broker or out-of-state [salesperson] agent  
690 licensed in a state that has no distinction between a real estate broker  
691 license and a real estate [salesperson] agent license shall be subject to the  
692 requirements of subsection (a) of this section with regard to any  
693 commercial real estate transaction in this state.

694 (d) Each out-of-state broker or out-of-state [salesperson] agent that  
695 advertises for sale commercial real estate pursuant to this section shall  
696 include in any advertising material the name of the licensed broker with  
697 whom the out-of-state broker has a written agreement pursuant to  
698 subdivision (2) of subsection (a) of this section. Nothing in this section  
699 shall permit an out-of-state broker or out-of-state [salesperson] agent to  
700 accompany a prospective buyer at the site of commercial real estate  
701 pursuant to a real estate transaction in this state.

702 (e) An out-of-state real estate licensee may receive compensation for  
703 referring to a real estate licensee in this state a prospective party to a real  
704 estate transaction in this state.

705 Sec. 17. Section 20-327b of the general statutes is repealed and the  
706 following is substituted in lieu thereof (*Effective from passage*):

707 (a) Except as otherwise provided in this section, each person who  
708 offers residential property in the state for sale, exchange or for lease with  
709 option to buy, shall provide a written residential condition report or  
710 reports to the prospective purchaser at any time prior to the prospective  
711 purchaser's execution of any binder, contract to purchase, option or  
712 lease containing a purchase option. A photocopy, duplicate original,  
713 facsimile transmission or other exact reproduction or duplicate of the  
714 written residential condition report or reports containing the  
715 prospective purchaser's written receipt shall be attached to any written  
716 offer, binder or contract to purchase. A photocopy, duplicate original,  
717 facsimile transmission or other exact reproduction or duplicate of the  
718 written residential condition report or reports containing the signatures  
719 of both seller and purchaser shall be attached to any agreement to  
720 purchase the property.

721 (b) The following shall be exempt from the provisions of this section:  
722 (1) Any transfer from one or more co-owners solely to one or more of  
723 the co-owners; (2) transfers made to the spouse, mother, father, brother,  
724 sister, child, grandparent or grandchild of the transferor where no  
725 consideration is paid; (3) transfers of newly-constructed residential real  
726 property for which an implied warranty is provided under chapter 827;  
727 (4) transfers made by executors, administrators, trustees or  
728 conservators; (5) transfers by the federal government, any political  
729 subdivision thereof or any corporation, institution or quasi-  
730 governmental agency chartered by the federal government; (6) transfers  
731 by this state; (7) except as provided in subsections (g) and (h) of this  
732 section, transfers by any political subdivision of this state; (8) transfers  
733 of property which was the subject of a contract or option entered into  
734 prior to January 1, 1996; and (9) except as provided in subsections (g)  
735 and (h) of this section, any transfer of property acquired by a judgment  
736 of strict foreclosure or by foreclosure by sale or by a deed in lieu of  
737 foreclosure.

738 (c) The provisions of this section shall apply only to transfers by sale,  
739 exchange or lease with option to buy, of residential real property  
740 consisting of not less than one nor more than four dwelling units which



741 shall include cooperatives and condominiums, and shall apply to all  
742 transfers, with or without the assistance of a licensed real estate broker  
743 or [salesperson] agent, as defined in section 20-311, as amended by this  
744 act.

745 (d) The Commissioner of Consumer Protection shall, within available  
746 appropriations, prescribe the written residential condition reports  
747 required by this section and sections 20-327c to 20-327e, inclusive. The  
748 written residential condition reports shall be based upon templates that  
749 the commissioner shall prescribe. Such templates shall: Fit on pages  
750 being not more than eight and one-half inches in height and eleven  
751 inches in width, with type size no smaller than nine-point type, other  
752 than checkboxes or section headers, which may be in a smaller size;  
753 include the address of the subject property on each page; include page  
754 numbers on each page; include section headings in bold type and  
755 include space for the buyer and the seller's initials on each page, except  
756 the signature page. Each written residential condition report, other than  
757 the written residential condition report required pursuant to  
758 subsections (g) and (h) of this section, shall contain the following, in the  
759 order indicated:

760 (1) A section entitled "Instructions to Sellers"

761 You MUST answer ALL questions to the best of your knowledge.

762 Identify/Disclose any problems regarding the subject property.

763 YOUR REAL ESTATE LICENSEE CANNOT COMPLETE THIS  
764 FORM ON YOUR BEHALF.

765 UNK means Unknown, N/A means Not Applicable.

766 If you need additional space to complete any answer or explanation,  
767 attach additional page(s) to this form. Include subject property address,  
768 seller's name and the date.

769 (2) Pursuant to the Uniform Property Condition Disclosure Act, the  
770 seller is obligated to answer the following questions and to disclose

- 771 herein any knowledge of any problem regarding the following:
- 772 (A) A subsection entitled "Subject Property"
- 773 (i) Name of seller(s)
- 774 (ii) Street address, municipality, zip code
- 775 (B) A subsection entitled "General Information"
- 776 (i) Indicate the YEAR the structure was built:
- 777 (ii) Indicate HOW LONG you have occupied the property: If not
- 778 applicable, indicate with N/A.
- 779 (iii) Does anyone else claim to own any part of your property,
- 780 including, but not limited to, any encroachment(s)? If YES, explain:
- 781 (iv) Does anyone other than you have or claim to have any right to
- 782 use any part of your property, including, but not limited to, any
- 783 easement or right-of-way? If YES, explain:
- 784 (v) Is the property in a flood hazard area or an inland wetlands area?
- 785 If YES, explain:
- 786 (vi) Are you aware of the presence of a dam on the property that has
- 787 been or is required to be registered with the Department of Energy and
- 788 Environmental Protection? If YES, explain:
- 789 (vii) Do you have any reason to believe that the municipality in which
- 790 the subject property is located may impose any assessment for purposes
- 791 such as sewer installation, sewer improvements, water main
- 792 installation, water main improvements, sidewalks or other
- 793 improvements? If YES, explain:
- 794 (viii) Is the property located in a municipally designated village
- 795 district, municipally designated historic district or listed on the National
- 796 Register of Historic Places? If YES, explain:
- 797 (ix) Special Statement: Information concerning village districts and

798 historic districts may be obtained from the municipality's village or  
799 historic district commission, if applicable.

800 (x) Is the property located in a special tax district? If YES, explain:

801 (xi) Is the property subject to any type of land use restrictions, other  
802 than those contained within the property's chain of title or that are  
803 necessary to comply with state laws or municipal zoning? If YES,  
804 explain:

805 (xii) Is the property located in a common interest community? If YES,  
806 is it subject to any community or association dues or fees? Please  
807 explain:

808 (xiii) Do you have any knowledge of prior or pending litigation,  
809 government agency or administrative actions, orders or liens on the  
810 property related to the release of any hazardous substance? If YES,  
811 explain:

812 (C) A subsection entitled "Leased Equipment"

813 Does the property include any Leased or Rented Equipment that  
814 would necessitate or obligate either of the following: The assignment or  
815 transfer of the lease or rental agreement(s) to the buyer or the  
816 replacement or substitution of the equipment by the buyer? If YES,  
817 indicate by checking ALL items that apply: PROPANE FUEL TANK;  
818 WATER HEATER; SECURITY ALARM SYSTEM; FIRE ALARM  
819 SYSTEM; SATELLITE DISH ANTENNA; WATER TREATMENT  
820 SYSTEM; SOLAR DEVICES; MAJOR APPLIANCES; OTHER

821 (D) A subsection entitled "Mechanical/Utility Systems"

822 (i) Heating system problems? If YES, explain. List Fuel Types.

823 (ii) Hot water heater Type: Age: Hot water problems? If YES, explain:

824 (iii) Is there an underground storage tank? If YES, give AGE of tank  
825 and LOCATION.

826 (iv) Are you aware of any problems with the underground storage  
827 tank? If YES, explain:

828 (v) During the time you have owned the property, has there ever been  
829 an underground storage tank located on the property? If YES, has it been  
830 removed? If YES, what was the date of removal and what was the name  
831 and address of the person or business who removed such underground  
832 storage tank? Provide any and all written documentation of such  
833 removal within your control or possession by attaching a copy of such  
834 documentation to this form.

835 (vi) Air conditioning problems? If YES, explain: Air conditioning  
836 Type: Central; Window; Other

837 (vii) Plumbing system problems? If YES, explain:

838 (viii) Electrical System problems? If YES, explain:

839 (ix) Electronic security system problems? If YES, explain:

840 (x) Are there carbon monoxide or smoke detectors located in a  
841 dwelling on the property? If YES, state the NUMBER of such detectors  
842 and whether there have been problems with such detectors;

843 (xi) Fire sprinkler system problems? If YES, explain:

844 (E) A subsection entitled "Water System"

845 (i) Domestic Water System Type: Public; Private Well; Other

846 (ii) If Public Water:

847 (I) Is there a separate expense/fee for water usage? If YES, is the  
848 expense/fee for water usage flat or metered? Give the AMOUNT and  
849 explain:

850 (II) Are there any UNPAID water charges? If YES, state the amount  
851 unpaid:

852 (iii) If Private Well:

853 Has the well water been tested for contaminants/volatile organic  
854 compounds? If YES, attach a copy of the report.

855 (iv) If Public Water or Private Well: Are you aware of any problems  
856 with the well, or with the water quality, quantity, recovery, or pressure?  
857 If YES, explain:

858 (F) A subsection entitled "Sewage Disposal System"

859 (i) Sewage Disposal System Type: Public; Septic; Cesspool; Other

860 (ii) If Public Sewer:

861 (I) Is there a separate charge made for sewer use? If YES, is it Flat or  
862 Metered?

863 (II) If it is a Flat amount, state amount and due dates:

864 (III) Are there any UNPAID sewer charges? If any unpaid sewer  
865 charges, state the amount:

866 (iii) If Private:

867 (I) Name of service company

868 (II) Date last pumped: AND frequency:

869 (III) For any sewage system, are there problems? If YES, explain:

870 (G) A subsection entitled "Asbestos/Lead"

871 (i) Are asbestos containing insulation or building materials present?  
872 If YES, location:

873 (ii) Is lead paint present? If YES, location:

874 (iii) Is lead plumbing present? If YES, location:

875 (H) A subsection entitled "Building/Structure/Improvements"

876 (i) Is the foundation made of concrete? If NO, explain:

- 877 (ii) Foundation/Slab problems or settling? If YES, explain:
- 878 (iii) Basement Water Seepage/Dampness? If YES, explain Amount,  
879 Frequency and Location:
- 880 (iv) Sump pump problems? If YES, explain:
- 881 (v) Do you have any knowledge of any testing or inspection done by  
882 a licensed professional related to a foundation on the property? If YES,  
883 disclose the testing or inspection method, the areas or locations that  
884 were tested or inspected, the results of such testing or inspection and  
885 attach a copy of the report concerning such testing or inspection.
- 886 (vi) Do you have any knowledge of any repairs related to a  
887 foundation on the property? If YES, describe such repairs, disclose the  
888 areas repaired and attach a copy of the report concerning such repairs.
- 889 (vii) Do you have any knowledge related to the presence of pyrrhotite  
890 in a foundation on the property? If YES, explain:
- 891 (viii) Roof type; Age?
- 892 (ix) Roof leaks? If YES, explain:
- 893 (x) Exterior siding problems? If YES, explain:
- 894 (xi) Chimney, Fireplace, Wood or Coal Stove problems? If YES,  
895 explain:
- 896 (xii) Patio/deck problems? If YES, explain:
- 897 (xiii) If constructed of Wood, is the Wood Treated or Untreated?
- 898 (xiv) Driveway problems? If YES, explain:
- 899 (xv) Water drainage problems? If YES, explain:
- 900 (xvi) Interior Floor, Wall and/or Ceiling problems? If YES, explain:
- 901 (xvii) Fire and/or Smoke damage? If YES, explain:

902 (xviii) Termite, Insect, Rodent or Pest Infestation problems? If YES,  
903 explain:

904 (xix) Rot or Water damage problems? If YES, explain:

905 (xx) Is house insulated? If YES, Type: Location:

906 (xxi) Has a test for Radon been performed? If YES, attach a copy of  
907 the report.

908 (xxii) Is there a Radon Control System in place? If YES, explain:

909 (xxiii) Has a Radon control system been in place in the previous 12  
910 months? If YES, explain:

911 (I) The Seller should attach additional pages to further explain any  
912 item(s) above. Indicate here the number of additional pages attached:

913 (J) Questions contained in subparagraphs (A) to (I), inclusive, of this  
914 subdivision shall contain checkboxes indicating "yes", "no", "not  
915 applicable" or "unknown".

916 (3) The written residential condition report shall contain the  
917 following immediately below the questions contained in subparagraphs  
918 (A) to (I), inclusive, of subdivision (2) of this subsection:

919 A certification by the seller in the following form:

920 SELLER'S CERTIFICATION

921 "To the extent of the seller's knowledge as a property owner, the seller  
922 acknowledges that the information contained above is true and accurate  
923 for those areas of the property listed. In the event a real estate broker or  
924 [salesperson] agent is utilized, the seller authorizes the brokers or  
925 [salespersons] agents to provide the above information to prospective  
926 buyers, selling agents or buyers' agents.

T1 .... (Date) .... (Seller)

T2 .... (Date) .... (Seller)"

927 (4) The written residential condition report shall contain the  
928 following in a separate section immediately below the seller's  
929 certification:

930 IMPORTANT INFORMATION

931 (A) RESPONSIBILITIES OF REAL ESTATE BROKERS

932 This report in no way relieves a real estate broker of the broker's  
933 obligation under the provisions of section 20-328-5a of the Regulations  
934 of Connecticut State Agencies to disclose any material facts. Failure to  
935 do so could result in punitive action taken against the broker, such as  
936 fines, suspension or revocation of license.

937 (B) STATEMENTS NOT TO CONSTITUTE A WARRANTY

938 Any representations made by the seller on the written residential  
939 condition report shall not constitute a warranty to the buyer.

940 (C) NATURE OF REPORT

941 This Residential Property Condition Report is not a substitute for  
942 inspections, tests and other methods of determining the physical  
943 condition of property.

944 (D) INFORMATION ON THE RESIDENCE OF CONVICTED  
945 FELONS

946 Information concerning the residence address of a person convicted  
947 of a crime may be available from law enforcement agencies or the  
948 Department of Public Safety.

949 (E) BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

950 Prospective buyers should consult with the municipal building  
951 official in the municipality in which the property is located to confirm  
952 that building permits and certificates of occupancy have been issued for  
953 work on the property.



954 (F) HOME INSPECTION

955 Buyers should have the property inspected by a licensed home  
956 inspector.

957 (G) CONCRETE FOUNDATION

958 Prospective buyers may have a concrete foundation inspected by a  
959 licensed professional engineer who is a structural engineer for  
960 deterioration of the foundation due to the presence of pyrrhotite.

961 (H) DAM

962 Information concerning the registration and categorization of a dam  
963 on the property may be obtained from the Department of Energy and  
964 Environmental Protection.

965 (5) The written residential condition report shall contain the  
966 following immediately below the statements contained in  
967 subparagraphs (A) to (H), inclusive, of subdivision (4) of this subsection:

968 A certification by the buyer in the following form:

969 BUYER'S CERTIFICATION

970 "The buyer is urged to carefully inspect the property and, if desired,  
971 to have the property inspected by an expert. The buyer understands that  
972 there are areas of the property for which the seller has no knowledge  
973 and that this report does not encompass those areas. The buyer also  
974 acknowledges that the buyer has read and received a signed copy of this  
975 report from the seller or seller's agent.

T3 .... (Date) .... (Buyer)

T4 .... (Date) .... (Buyer)"

976 (e) On or after January 1, 1996, the Commissioner of Consumer  
977 Protection shall make available the written residential condition reports  
978 prescribed in accordance with the provisions of this section and sections  
979 20-327c to 20-327e, inclusive, to the Division of Real Estate, all municipal

town clerks, the Connecticut Association of Realtors, Inc., and any other person or institution that the commissioner believes would aid in the dissemination and distribution of such forms. The commissioner shall also cause information concerning such forms and the completion of such forms to be disseminated in a manner best calculated, in the commissioner's judgment, to reach members of the public, attorneys and real estate licensees.

(f) Any written residential condition report prescribed in accordance with the provisions of this section and sections 20-327c to 20-327e, inclusive, shall take effect for new listings thirty days following posting of the notice regarding such report on the Department of Consumer Protection's Internet web site.

(g) In any transfer of residential real property that is located in a municipality that the Capitol Region Council of Governments determines is affected, or potentially affected, by crumbling foundations and was acquired by a political subdivision of this state or was acquired by a judgment of strict foreclosure or by foreclosure by sale or by a deed in lieu of foreclosure, the owner or political subdivision shall, through a written residential condition report described in subsection (h) of this section, disclose to the prospective purchaser of such real property, at any time prior to the prospective purchaser's execution of any binder, contract to purchase, option or lease containing a purchase option, any facts that are within such owner's or political subdivision's actual knowledge concerning:

(1) The presence of pyrrhotite in any concrete foundation on such property;

(2) Any damage or deterioration in any concrete foundation on such property, including, but not limited to, any damage or deterioration caused by the presence of pyrrhotite in any foundation on such property; and

(3) Any repairs or remediation to any concrete foundation on such property.

1012 (h) In any transfer of residential real property that is located in a  
1013 municipality that the Capitol Region Council of Governments  
1014 determines is affected, or potentially affected, by crumbling foundations  
1015 and was acquired by a political subdivision of this state or was acquired  
1016 by a judgment of strict foreclosure or by foreclosure by sale or by a deed  
1017 in lieu of foreclosure, the owner or political subdivision shall satisfy the  
1018 provisions of subsection (g) of this section through a written residential  
1019 condition report prescribed by the Commissioner of Consumer  
1020 Protection pursuant to subsection (d) of this section, which report shall  
1021 be entitled "Residential Foundation Condition Report" and exclusively  
1022 contain the following in the following order:

1023 (1) A section entitled "Instructions to Sellers"

1024 You MUST answer ALL questions based on your knowledge. You are  
1025 not required to undertake investigations or inspections of the  
1026 foundation to verify your answers.

1027 YOUR REAL ESTATE LICENSEE CANNOT COMPLETE THIS  
1028 FORM ON YOUR BEHALF.

1029 UNK means Unknown, N/A means Not Applicable.

1030 If you need additional space to complete any answer or explanation,  
1031 attach additional page(s) to this form. Include subject property address,  
1032 seller's name and the date.

1033 (2) Pursuant to the Uniform Property Condition Disclosure Act, the  
1034 seller is obligated to answer the following questions and to disclose  
1035 herein any knowledge of any problem regarding the following:

1036 (A) A subsection entitled "Subject Property"

1037 (i) Name of seller(s)

1038 (ii) Street address, municipality, zip code

1039 (B) A subsection entitled "Information About the Foundation"

1040 (i) Do you have any knowledge related to the presence of pyrrhotite  
1041 in any concrete foundation on the subject property? If YES, explain:

1042 (ii) Are you aware of any damage or deterioration in any concrete  
1043 foundation on the subject property, including, but not limited to, any  
1044 damage or deterioration caused by the presence of pyrrhotite in any  
1045 concrete foundation on the property? If YES, explain:

1046 (iii) Are you aware of any repairs or remediation to any concrete  
1047 foundation on the subject property? If YES, explain:

1048 (3) In a separate section immediately below the questions contained  
1049 in subdivision (2) of this subsection, the following information in the  
1050 following form:

1051 **IMPORTANT INFORMATION**

1052 **(A) RESPONSIBILITIES OF REAL ESTATE BROKERS**

1053 This report in no way relieves a real estate broker of the broker's  
1054 obligation under the provisions of section 20-328-5a of the Regulations  
1055 of Connecticut State Agencies to disclose any material facts. Failure to  
1056 do so could result in punitive action taken against the broker, such as  
1057 fines, suspension or revocation of license.

1058 **(B) STATEMENTS NOT TO CONSTITUTE A WARRANTY**

1059 Any representations made by the seller in this residential foundation  
1060 condition report shall not constitute a warranty to the buyer.

1061 **(C) NATURE OF REPORT**

1062 This report is not a substitute for inspections, tests and other methods  
1063 of determining the physical condition of the foundation. Prospective  
1064 buyers may have a concrete foundation inspected by a licensed  
1065 professional engineer for deterioration of the foundation due to the  
1066 presence of pyrrhotite.

1067 (4) Immediately following the information contained in subdivision

1068 (3) of this subsection, a certification by the buyer in the following form:

1069 BUYER'S CERTIFICATION

1070 "The buyer is urged to carefully inspect the foundation and, if  
1071 desired, to have the foundation inspected by an expert. The buyer  
1072 understands that there are parts of the property, including the  
1073 foundation, for which the seller has no knowledge and that this report  
1074 does not encompass those parts. The buyer also acknowledges that the  
1075 buyer has read and reviewed a signed copy of this report from the seller  
1076 or the seller's agent.

T5 .... (Date) .... (Buyer)

T6 .... (Date) .... (Buyer)"

1077 (5) Immediately below the buyer's certification, a certification by the  
1078 seller in the following form:

1079 SELLER'S CERTIFICATION

1080 "To the extent of the seller's knowledge as an owner of a property  
1081 acquired through foreclosure or deed in lieu of foreclosure, the seller  
1082 acknowledges that the information contained above is true and  
1083 accurate. In the event a real estate broker or [salesperson] agent is  
1084 utilized, the seller authorizes the broker or [salesperson] agent to  
1085 provide the above information to prospective buyers, selling agents or  
1086 buyers' agents.

T7 .... (Date) .... (Seller)

T8 .... (Date) .... (Seller)"

1087 Sec. 18. Subsection (b) of section 20-327i of the general statutes is  
1088 repealed and the following is substituted in lieu thereof (*Effective from*  
1089 *passage*):

1090 (b) Except as provided in subsection (c) of this section, if a real estate  
1091 licensee engages in the real estate business and acts as an interpreter for

1092 a buyer or renter in conducting a transaction or negotiations, the real  
1093 estate licensee shall provide to the buyer or renter, and obtain the  
1094 buyer's or renter's signature on, a form containing the following  
1095 language written in the buyer's or renter's native language:

1096 "This real estate transaction or these negotiations were conducted in  
1097 (buyer's or renter's native language), which is my native language. I  
1098 voluntarily choose to have the Real Estate [(Broker/Salesperson)]  
1099 (Broker/Agent) act as my interpreter during the negotiations. The  
1100 obligations of the contract or other written agreement were explained to  
1101 me in my native language. I understand the contract or other written  
1102 agreement."

1103 Sec. 19. Section 20-329a of the general statutes is repealed and the  
1104 following is substituted in lieu thereof (*Effective from passage*):

1105 As used in this section and sections 20-329b to 20-329n, inclusive:

1106 (1) "Disposition" or "dispose of" means any sale, exchange, lease,  
1107 assignment, award by lottery or other transaction designed to convey  
1108 an interest in a subdivision or parcel, lot, or unit in a subdivision when  
1109 undertaken for gain or profit;

1110 (2) "Offer" means every inducement, solicitation or attempt to bring  
1111 about a disposition;

1112 (3) "Person" means an individual, firm, company, association,  
1113 corporation, limited liability company, government or governmental  
1114 subdivision or agency, business trust, estate, trust, partnership,  
1115 unincorporated association or organization, two or more of any of the  
1116 foregoing having a joint or common interest, or any other legal or  
1117 commercial entity;

1118 (4) "Broker" means a resident real estate broker duly licensed under  
1119 this chapter;

1120 (5) ["Salesperson"] "Agent" means any person duly licensed as a real  
1121 estate [salesperson] agent under this chapter;

1122 (6) "Purchaser" means a person who acquires an interest in any lot,  
1123 parcel or unit in a subdivision; and

1124 (7) "Subdivision" means any improved or unimproved land or tract  
1125 of land located outside this state which is divided or proposed to be  
1126 divided into five or more lots, parcels, units, or interests for the purpose  
1127 of disposition, at any time as part of a common promotional plan. Any  
1128 land which is under common ownership or which is controlled by a  
1129 single developer or a group of developers acting in concert, is  
1130 contiguous in area, and is designated or advertised as a common unit or  
1131 known by a common name, shall be presumed, without regard to the  
1132 number of lots, parcels, units or interests covered by each individual  
1133 offering, to be part of a common promotional plan.

1134 Sec. 20. Subsection (g) of section 20-329hh of the general statutes is  
1135 repealed and the following is substituted in lieu thereof (*Effective from*  
1136 *passage*):

1137 (g) No real estate [salesperson] agent or team member shall engage  
1138 in the real estate business while the supervising licensee that is  
1139 responsible for controlling and supervising such [salesperson] agent or  
1140 team is deceased or incapacitated unless a custodial broker has been  
1141 appointed for such supervising licensee.

1142 Sec. 21. Subsection (a) of section 20-417j of the general statutes is  
1143 repealed and the following is substituted in lieu thereof (*Effective from*  
1144 *passage*):

1145 (a) Sections 20-417a to 20-417i, inclusive, do not apply to any of the  
1146 following persons or organizations: (1) Any person holding a current  
1147 license as a real estate broker or [salesperson] agent issued pursuant to  
1148 chapter 392, provided such person engages only in work for which such  
1149 person is licensed under chapter 392; (2) any person licensed or  
1150 otherwise authorized under chapter 412 to sell or place a mobile  
1151 manufactured home, as defined in section 21-64, upon a mobile  
1152 manufactured home park or mobile manufactured space or lot, both as  
1153 defined in section 21-64, provided such person engages only in work for

1154 which such person is licensed or otherwise authorized under chapter  
1155 412; (3) any other person holding a professional or occupational license,  
1156 registration or certificate issued pursuant to the general statutes,  
1157 provided such person engages only in the work for which such person  
1158 is licensed, registered or certified; and (4) any new home construction  
1159 contractor who enters into one or more new home construction  
1160 contracts related to the same new home when such contract or contracts  
1161 in the aggregate with respect to that home has a total price for work or  
1162 services that is less than three thousand five hundred dollars.

1163 Sec. 22. Section 20-526 of the general statutes is repealed and the  
1164 following is substituted in lieu thereof (*Effective from passage*):

1165 The provisions of sections 20-500 to 20-528, inclusive, concerning the  
1166 certification or provisional licensing of real estate appraisers shall not  
1167 apply to (1) any person under contract with a municipality who  
1168 performs a revaluation of real estate for assessment purposes pursuant  
1169 to section 12-62, and (2) any licensed real estate broker or real estate  
1170 [salesperson] agent who estimates the value of real estate as part of a  
1171 market analysis performed for the owner of the real estate or a designee  
1172 of the owner, on such terms as may be agreed upon between such owner  
1173 or the owner's designee and the real estate broker or real estate  
1174 [salesperson] agent, for the purpose of (A) a prospective listing or sale  
1175 of such real estate, (B) providing information to the seller or landlord  
1176 under a listing agreement, or (C) providing information to a prospective  
1177 buyer or tenant under a buyer or tenant agency agreement, provided  
1178 such estimate of value shall not be referred to or be construed as an  
1179 appraisal. If such owner executes a listing contract with the real estate  
1180 broker or real estate [salesperson] agent who so estimated the value of  
1181 the real estate for the sale of the real estate and such real estate contains  
1182 any building or other structure, occupied or intended to be occupied by  
1183 no more than four families, then such owner shall be credited against  
1184 any compensation the owner pays on account of such listing contract for  
1185 any fee paid by the owner for such estimate of value.

1186 Sec. 23. Subparagraph (K) of subdivision (5) of subsection (a) of



1187 section 31-222 of the general statutes is repealed and the following is  
1188 substituted in lieu thereof (*Effective from passage*):

1189 (K) Service performed by an individual as an insurance agent, other  
1190 than an industrial life insurance agent, and service performed by an  
1191 individual as a real estate [salesperson] agent, if all such service is  
1192 performed for remuneration solely by way of commission;

1193 Sec. 24. Subsection (c) of section 42-103gg of the general statutes is  
1194 repealed and the following is substituted in lieu thereof (*Effective from*  
1195 *passage*):

1196 (c) Any sales agent who offers a time share interest created under this  
1197 section shall be licensed as a real estate broker or real estate  
1198 [salesperson] agent as set forth in section 20-312, as amended by this act,  
1199 unless exempt from licensure under chapter 392. The following need not  
1200 be licensed pursuant to section 20-312, as amended by this act: (1) An  
1201 exchange company that is exchanging time share periods, or (2) a person  
1202 who only distributes literature pertaining to a time share or advertises a  
1203 time share, provided a sales agent or a real estate broker or real estate  
1204 [salesperson] agent licensed under section 20-312, as amended by this  
1205 act, transacts the sale of such time share interest.

1206 Sec. 25. Subsection (d) of section 42-484 of the general statutes is  
1207 repealed and the following is substituted in lieu thereof (*Effective from*  
1208 *passage*):

1209 (d) Nothing in sections 42-482 and 42-483 and this section shall be  
1210 construed to apply to any person who holds a real estate [salesperson's]  
1211 agent's license and who has a claim for payment of a real estate  
1212 commission or compensation against the real estate broker with whom  
1213 such real estate [salesperson] agent is affiliated.

1214 Sec. 26. Subsection (a) of section 47-17a of the general statutes is  
1215 repealed and the following is substituted in lieu thereof (*Effective from*  
1216 *passage*):

1217 (a) As used in this section:

1218 (1) "Person" means an individual, corporation, limited liability  
1219 company, partnership, association, trustee or other entity capable of  
1220 holding an interest in real property or any combination thereof.

1221 (2) (A) "Private transfer fee" means a fee or charge payable (i) upon  
1222 the conveyance and subsequent conveyance of an interest in real  
1223 property located in this state, or (ii) for the right to make or accept such  
1224 conveyance;

1225 (B) "Private transfer fee" does not include:

1226 (i) Any consideration payable by a grantee to a grantor for the  
1227 conveyance of an interest in real property located in this state, including  
1228 any subsequent consideration payable by such grantee for such real  
1229 property based on subsequent appreciation, development or sale of  
1230 such real property, provided such subsequent consideration is payable  
1231 on a one-time basis and the obligation to pay such consideration does  
1232 not bind successors in title to such real property. For purposes of this  
1233 subparagraph, "real property" includes a mineral estate, as defined in  
1234 section 47-33o;

1235 (ii) Any commission payable to a real estate broker or a real estate  
1236 [salesperson] agent for the sale of real property located in this state  
1237 pursuant to a contract or agreement between such broker or  
1238 [salesperson] agent and a grantee or grantor, including any subsequent  
1239 commission payable by such grantee or grantor for such real property  
1240 based on subsequent appreciation, development or sale of such real  
1241 property;

1242 (iii) Any interest, fee, charge or other amount payable by a borrower  
1243 to a lender pursuant to a loan secured by a mortgage against real  
1244 property located in this state, including any fee payable to such lender  
1245 for consenting to an assumption of such loan or conveyance of such real  
1246 property subject to such mortgage, any fee or charge payable to such  
1247 lender for an estoppel letter or certificate issued by such lender, and any  
1248 shared appreciation interest, profit participation or other consideration  
1249 payable to the lender in connection with such loan;

1250 (iv) Any rent, reimbursement, fee, charge or other amount payable  
1251 by a lessee to a lessor, including any fee or charge payable to such lessor  
1252 for consenting to an assignment, sublease or encumbrance of a rental  
1253 agreement or lease;

1254 (v) Any consideration payable to the holder of an option to purchase  
1255 an interest in real property or the holder of a right of first refusal or first  
1256 offer to purchase an interest in real property located in this state, for  
1257 such holder's waiver, release or nonexercise of such option or right;

1258 (vi) Any tax, assessment, fine, fee, charge or other amount payable to  
1259 or imposed by a governmental entity;

1260 (vii) Any dues, assessment, fine, contribution, fee, charge or other  
1261 amount payable to an association or a unit owners' association of a  
1262 common interest community as defined by chapter 828, pursuant to any  
1263 declaration, covenant, law, association bylaw, association rule or  
1264 association regulation, including a fee or charge payable to such  
1265 association for an estoppel letter or certificate issued by such association  
1266 or its authorized agent;

1267 (viii) Any dues, assessment, fine, contribution, fee, charge or other  
1268 amount imposed by a declaration or covenant encumbering a  
1269 municipality or a county or any combination thereof or a neighborhood  
1270 or other area, irrespective of boundaries or political subdivision, in this  
1271 state, and payable solely to an organization that is tax exempt pursuant  
1272 to 26 USC 501(c) for the purpose of supporting cultural, educational,  
1273 charitable, recreational, environmental, conservation or other similar  
1274 activities that benefit such municipality, county, neighborhood or other  
1275 area; or

1276 (ix) Any dues, assessment, contribution, fee, charge or other amount  
1277 payable for the purchase or transfer of a club membership related to real  
1278 property located in this state.

1279 (3) "Private transfer fee obligation" means an obligation arising under  
1280 a declaration or a covenant recorded against the title to real property

1281 located in this state or under any contractual agreement or promise,  
1282 whether or not recorded, that requires or purports to require the  
1283 payment of a private transfer fee upon a conveyance or a subsequent  
1284 conveyance of an interest in such real property.

1285 Sec. 27. Section 47-100 of the general statutes is repealed and the  
1286 following is substituted in lieu thereof (*Effective from passage*):

1287 The sale of real estate syndicate securities shall not be an act requiring  
1288 licensure as a real estate [salesperson] agent or broker as defined in  
1289 section 20-311, as amended by this act.

1290 Sec. 28. Subsection (a) of section 49-7f of the general statutes is  
1291 repealed and the following is substituted in lieu thereof (*Effective from*  
1292 *passage*):

1293 (a) No mortgage broker or lender, as defined in subdivision (5) of  
1294 section 49-31d, or any person affiliated with such mortgage broker or  
1295 lender shall receive a fee, commission or other form of referral fee for  
1296 the referral of any person to (1) a real estate broker, real estate  
1297 [salesperson] agent, as defined in section 20-311, as amended by this act,  
1298 or any person affiliated with such broker or [salesperson] agent or any  
1299 person engaged in the real estate business, as defined in [said] section  
1300 20-311, as amended by this act, or (2) an attorney-at-law admitted to  
1301 practice within this state or any person affiliated with such attorney.

1302 Sec. 29. Subsection (a) of section 51-87b of the general statutes is  
1303 repealed and the following is substituted in lieu thereof (*Effective from*  
1304 *passage*):

1305 (a) No attorney-at-law admitted to practice within this state or any  
1306 person affiliated with such attorney may receive a fee, commission or  
1307 other form of referral fee for the referral of any person to (1) a real estate  
1308 broker or real estate [salesperson] agent, as defined in section 20-311, as  
1309 amended by this act, or any person affiliated with such broker or  
1310 [salesperson] agent or any person engaged in the real estate business, as  
1311 defined in [said] section 20-311, as amended by this act, or (2) any

1312 mortgage broker or mortgage lender, as defined in subdivision (5) of  
 1313 section 49-31d, or any person affiliated with such mortgage broker or  
 1314 lender.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	20-319
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	8-169aa(a)(2)
Sec. 5	<i>from passage</i>	10a-123(b)
Sec. 6	<i>from passage</i>	20-311
Sec. 7	<i>from passage</i>	20-311a(b)
Sec. 8	<i>from passage</i>	20-312(e)
Sec. 9	<i>from passage</i>	20-312a
Sec. 10	<i>from passage</i>	20-312c(b)
Sec. 11	<i>from passage</i>	20-314
Sec. 12	<i>from passage</i>	20-319a(a)
Sec. 13	<i>from passage</i>	20-324l
Sec. 14	<i>from passage</i>	20-325a(q)
Sec. 15	<i>from passage</i>	20-325c(b)
Sec. 16	<i>from passage</i>	20-325l
Sec. 17	<i>from passage</i>	20-327b
Sec. 18	<i>from passage</i>	20-327i(b)
Sec. 19	<i>from passage</i>	20-329a
Sec. 20	<i>from passage</i>	20-329hh(g)
Sec. 21	<i>from passage</i>	20-417j(a)
Sec. 22	<i>from passage</i>	20-526
Sec. 23	<i>from passage</i>	31-222(a)(5)(K)
Sec. 24	<i>from passage</i>	42-103gg(c)
Sec. 25	<i>from passage</i>	42-484(d)
Sec. 26	<i>from passage</i>	47-17a(a)
Sec. 27	<i>from passage</i>	47-100
Sec. 28	<i>from passage</i>	49-7f(a)
Sec. 29	<i>from passage</i>	51-87b(a)

**Statement of Legislative Commissioners:**

Throughout Section 1, "the property" was changed to "the real property" and "the property owner" was changed to "the owner of real property" for consistency, in Section 1(c)(10), "the property owner's" was changed

to "the owner of real property's" for consistency, and the title was changed.

**INS**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Consumer Protection, Dept.	GF - Cost	50,000	None

Note: GF=General Fund

### **Municipal Impact:**

Municipalities	Effect	FY 26 \$	FY 27 \$
All Municipalities	Potential Savings	Minimal	Minimal

## **Explanation**

The bill creates a new process to remove an unauthorized occupant and requires the Department of Consumer Protection (DCP) to conduct a study resulting in the impact described below.

**Section 1** creates a process for removal of unauthorized persons from real property, which results in a potential savings to various municipalities beginning in FY 26.

To the extent the bill results in fewer evictions, there may be a potential savings to municipalities associated with storing fewer possessions of evicted tenants.

**Section 3** requires the DCP to conduct a study of residential real property wholesaling business practices in the state resulting in a cost to the state. DCP does not have the research staff or expertise to conduct the study and will have to hire a consultant for six months for a cost of approximately \$50,000 in FY 26.

The bill also makes various changes to real estate licenses that result in no fiscal impact to the state.

***The Out Years***

The annualized ongoing fiscal impact identified above will continue into the future subject to the number of evictions.



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**OLR Bill Analysis****sHB 7078**

***AN ACT CONCERNING THE REMOVAL OF UNAUTHORIZED PERSONS FROM REAL PROPERTY, CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, REQUIRING A STUDY OF RESIDENTIAL REAL PROPERTY WHOLESALING AND REVISING THE TITLE OF A REAL ESTATE SALESPERSON TO A REAL ESTATE AGENT.***

**SUMMARY**

This bill creates a new process through which a property owner, or their authorized agent, may submit an affidavit requesting a police officer to remove an unlawful occupant (i.e. “unauthorized person”) immediately from the owner’s real property, under certain circumstances.

Under the bill, an “unauthorized person” is someone who unlawfully occupies a property and is not the property owner’s (1) current or former tenant or (2) immediate family (i.e. spouse or dependent children or relatives living in the owner’s household). As such, the bill does not preclude owners from using existing law’s summary process (i.e. eviction process) to remove occupants to whom the bill does not apply (see BACKGROUND).

The bill’s new removal process is available to owners or their agents if there is no pending litigation related to the property between the owner and the unlawful occupant, and only under certain conditions (see below). The bill also creates a civil cause of action against the owner or agent for wrongful removal.

Upon receiving a removal request, the police officer must (1) verify that the person who signed the affidavit (the “affiant”) is the owner or the owner’s agent, (2) verify that the bill’s conditions are met, and (3) serve notice on the unlawful occupant to vacate immediately. The bill

specifies that it does not limit property owners' rights, or police officers' existing authority to arrest an unlawful occupant for trespassing, vandalism, theft, or other crimes.

The bill also makes the following unrelated changes related to real estate licensees:

1. establishes a 2-hour minimum for each Department of Consumer Protection (DCP)-approved continuing education course, and allows it to be offered at a real estate broker's or franchise's office (§ 2);
2. requires the DCP commissioner to study residential property wholesaling practices in the state, hold at least one hearing on the topic and invite industry representatives, and report the findings to the Insurance Committee by February 1, 2026 (§ 3);
3. makes a minor change in a law on registering a real estate team with DCP by eliminating the option to include, in the team name, the team's supervising licensee instead of including the name of a licensed broker or agent on the team (§ 8) and;
4. replaces the term "real estate salesperson" with the term "real estate agent" primarily throughout the licensure-related statutes and other related statutes (§§ 4-29).

EFFECTIVE DATE: October 1, 2025, except the provisions on the continuing education requirement for real estate license renewal and replacing the term "real estate salesperson" with "real estate agent" are effective upon passage.

## **§ 1 — REMOVAL OF UNAUTHORIZED OCCUPANT**

### ***Conditions for Removal***

The owner or agent can avail themselves of the bill's removal process if there is no pending litigation as stated above and the unauthorized occupant (1) unlawfully entered the property, was asked by the owner or the agent to leave, and stayed or continues to live on the property and

(2) cannot produce a signed lease or documentation of current rental payments, and certain other documents the bill specifies.

### ***Signed Agreement and Address Verification***

The bill subjects an unlawful occupant to the removal process if he or she cannot provide (1) a lease signed by the owner or the owner's agent or documentation of current rental payments paid by the unauthorized person to the owner, or the owner's agent, to allow the person to live on the property and (2) documentation, correspondence, or government-issued identification cards showing that the occupant lived on the property during the 12 months immediately preceding the owner's or agent's removal request to the police officer.

Under the bill, a "police officer" is a sworn member of an organized local police department or the State Police, an appointed constable who performs criminal law enforcement duties, a special policeman, or any member of a law enforcement unit who performs police duties.

### ***Affidavit Required to Initiate Removal Process***

To initiate the removal process, the bill requires the owner or agent to submit an affidavit and a copy of the owner's valid government-issued identification or documents showing the agent's authority to act on the owner's behalf. The affidavit must be in substantially the following form:

#### **AFFIDAVIT CONCERNING THE REMOVAL OF PERSONS UNLAWFULLY OCCUPYING A DWELLING UNIT**

I, the owner or authorized agent of the owner of the real property located at ... .., declare under the penalty of perjury that (initial each box):

1. ... .. I am the owner of the real property or the authorized agent of the owner of the real property.
2. ... .. I purchased the real property on ... ..
3. ... .. An unauthorized person or persons have unlawfully entered

and are remaining or residing unlawfully on the real property.

4. ... I have directed the unauthorized person or persons to leave the real property, but they have not done so.

5. ... The person or persons are not current or former tenants pursuant to any valid lease authorized by the owner of real property. The person or persons are unable to provide documentation of rental payments for such person or persons to reside on such real property, and any lease that may be produced by such person or persons is fraudulent.

6. ... The unauthorized person or persons sought to be removed are not an owner or a co-owner of the real property and have not been listed on the title to the real property unless the person or persons have engaged in slander of the title.

7. ... The unauthorized person or persons are not immediate family members of the owner of real property.

8. ... There is no litigation related to the real property pending between the owner of real property and any person sought to be removed from the real property.

9. ... I am requesting a police officer to immediately remove the unauthorized person or persons from the real property.

10. ... A copy of my valid government-issued identification is attached, or I am an agent of the owner of real property, and documents evidencing my authority to act on the owner of real property's behalf are attached.

I HAVE READ EVERY STATEMENT MADE IN THIS AFFIDAVIT AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 53A-156 OF THE GENERAL STATUTES.

Signed this .... day of ...., 20...

Witnessed by ....

....

(Acknowledgment)

### ***Request and Verification***

To remove an unauthorized occupant, the bill requires:

1. the owner or agent to submit an affidavit to the police officer requesting the immediate removal of an unlawful occupant and
2. the police officer, upon receiving the affidavit, to verify that the affiant is the owner of record or authorized agent and determine if the bill's conditions for relief are met.

### ***Notice to Immediately Vacate***

Once the police officer has made the required verifications, he or she must, without delay, (1) serve a notice on the unlawful occupant to immediately vacate the property and (2) put the record owner in possession (presumably by removing the unlawful occupant).

(The bill does not specify whether the officer must, after serving notice, remove the unlawful occupant's possessions and personal effects, if any, or what happens to these items after the person's removal. Additionally, it does not specify the notice's required form or content.)

### ***Proper Service***

A police officer (1) may serve the notice to vacate by hand to an occupant or post it on the property's front door or entrance and (2) must attempt to verify each occupant's identity and note this on the return of services.

### ***Wrongful Removal***

Under the bill, a person harmed by wrongful removal (1) has a civil cause of action against the owner or the authorized agent; (2) may be

restored to possession of the property; and (3) may recover actual costs and damages incurred, court costs, reasonable attorney's fees, and statutory damages equal to three times the dwelling's fair market rent.

### **§ 3 — DCP STUDY ON RESIDENTIAL PROPERTY WHOLESALING BUSINESS PRACTICES**

The bill requires the DCP commissioner to study residential real property wholesaling business practices in the state and report the findings to the Insurance Committee by February 1, 2026.

The commissioner must hold at least one public hearing on the topic and invite representatives with expertise in the residential real property wholesaling industry to participate in it. These representatives may include real estate brokers, real estate agents, or representatives of any entities engaged in residential real property wholesaling in the state.

### **BACKGROUND**

#### ***Summary Process***

By law, once a landlord has a ground for eviction, he or she begins the process by serving the tenant with a notice to quit possession. The landlord must serve it at least three days before a rental agreement is terminated or before the time the notice to quit specifies (in other words, the landlord must give the tenant at least three full days to move out).

If the tenant fails to respond to this notice by refusing to move from the rented premises, the landlord may start proceedings in Superior Court by filing a summons and complaint. The tenant may respond to the complaint; if he or she contests the action, the court may try the case and enter judgment. If the court rules for the landlord, it orders the judgment executed, and a state marshal removes the tenant and his or her belongings.

#### ***Related Bill***

HB 5572, favorably reported by the General Law Committee, requires DCP to begin licensing real estate wholesalers and sets requirements for real estate wholesale contracts.

sHB 6338 (File 227), favorably reported by the Housing Committee, contains provisions that establish a substantially similar removal process as this bill (§ 1), except it (1) requires a state marshal instead of a police officer to serve the notice to vacate, (2) does not allow the occupant to provide rent payment documents in lieu of a signed lease, and (3) subjects the (a) unlawful occupant to criminal penalties for trespassing and (b) owner or agent to a misdemeanor for making a false statement in the affidavit.

sSB 1357, §§ 5 & 6, favorably reported by the General Law Committee, codifies current practice requiring an examination within two years of applying for a real estate license unless given a hardship extension.

**COMMITTEE ACTION**

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea    9        Nay   4        (03/13/2025)