

By Mr. Harrington of Newton, petition of Peter F. Harrington relative to further regulating the development of condominiums. Urban Affairs.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT FURTHER REGULATING THE DEVELOPMENT OF CONDOMINIUMS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 5 of chapter 183A of the General Laws,  
2 inserted by section 1 of chapter 493 of the acts of 1963, is hereby  
3 amended by striking out clause (a) and inserting in place thereof  
4 the following clause: —

5 (a) Each unit owner shall be entitled to an undivided interest in  
6 the common areas and facilities in the percentage set forth in the  
7 master deed. Such percentage shall be computed by one of the  
8 following methods:

9 (1) the approximate relation that the fair market value of the  
10 unit on the date of the master deed bears to the aggregate fair  
11 value of all of the units, or

12 (2) the approximate relation that the square foot area of the  
13 unit on the date of the master deed bears to the square feet of all  
14 of the units.

1 SECTION 2. Section 5 of chapter 183A of the General Laws,  
2 inserted by section 1 of chapter 493 of the acts of 1963, is hereby  
3 amended by inserting after clause (g) the following new clause: —

4 (h) Notwithstanding any other provision of this chapter, but  
5 subject to any provision of by-laws enacted pursuant to this  
6 chapter, a unit owner may (i) grant by deed part of a unit for the  
7 purpose of incorporating it as part of another unit if a portion of  
8 the percentage interest of the grantor is granted to the grantee and  
9 the grant is evidenced by an amendment to the master deed  
10 specifically describing the part granted, the percentage interests  
11 reallocated, and the new percentage interests of the grantor and

12 the grantee; and (ii) subdivide a unit into two or more units if the  
13 original percentage interests and votes appurtenant to the original  
14 unit are allocated to the resulting units and the subdivision is  
15 evidenced by an amendment to the master deed describing the  
16 resulting units and the percentage interests allocated to each unit.  
17 The transfer or subdivision may be made without the consent of  
18 all of the unit owners if the amendment to the master deed is  
19 executed by the unit owners of the units involved and a copy is  
20 delivered to the organization of unit owners. The allocation of  
21 percentage interests shall be made according to the same method  
22 prescribed by clause (a) of this section as was used for the  
23 condominium. A plan indicating the changes in the layout or  
24 dimensions of the unit affected by the transfer or subdivision shall  
25 be attached to the amendment.

1 SECTION 3. Chapter 183A of the General Laws, inserted by  
2 section 1 of chapter 493 of the acts of 1963, is hereby amended by  
3 inserting after section 8 the following new section:—

4 *Section 8A.* A condominium created pursuant to this chapter  
5 may be created in phases. A plan of all of the land on which  
6 future phases in the condominium may be located shall be  
7 recorded simultaneously with the master deed. The master deed  
8 may include a provision allowing the person or persons signing  
9 the master deed or their successor in title to amend the master  
10 deed without the consent of any unit owner to include one or  
11 more additional phases in the condominium on the land noted in  
12 the master deed plan for such additional phases. The master deed  
13 shall state the maximum number of units to be included in all of  
14 the phases of the condominium and the period of time from the  
15 date of the master deed within which such units may be added to  
16 the condominium and the method for determining the resulting  
17 change in percentage ownership of the common areas and  
18 facilities brought about by the inclusion of each additional phase.  
19 The master deed shall describe with reasonable clarity any  
20 additional recreational facilities which shall be constructed in the  
21 event additional units are constructed. The master deed need not  
22 obligate the person or persons signing the master deed or their  
23 successor in title to create the additional phases described in the  
24 master deed. The provisions of this chapter shall govern each  
25 phase added to the condominium, and the provisions of each

26 amendment of the master deed shall comply with the provisions  
27 of section eight. Each such amendment shall reflect the change in  
28 percentage ownership of the common areas and facilities brought  
29 about by the inclusion of each additional phase in the con-  
30 dominium.

31 The creation of a condominium in more than one phase shall  
32 not be deemed to be a subdivision as that term is defined in  
33 section eighty-one L of chapter forty-one of the General Laws,  
34 nor shall the line dividing phases of a condominium constitute a  
35 lot line under local ordinances or by-laws adopted pursuant to the  
36 provisions of chapter forty A of the General Laws.

The first part of the report deals with the general situation of the country. It is found that the population is increasing rapidly, and that the land is being cultivated more extensively than ever before. The government has taken measures to improve the roads and to encourage commerce. The education system is also being improved, and the people are becoming more civilized.

The second part of the report deals with the financial situation. It is found that the government has a large surplus, and that the public debt is being paid off. The revenue is increasing, and the expenses are being kept under control. The government is in a position to carry out its various schemes for the improvement of the country.

The third part of the report deals with the military situation. It is found that the army is well equipped and well trained. The government has taken measures to strengthen the defenses of the country, and to improve the morale of the troops. The military is in a position to maintain the peace and to defend the country against any external aggression.

The fourth part of the report deals with the social situation. It is found that the people are becoming more educated and more civilized. The government has taken measures to improve the health and sanitation of the country, and to provide for the welfare of the poor. The social conditions are improving, and the people are becoming more united and more patriotic.

The fifth part of the report deals with the foreign relations of the country. It is found that the country is becoming more respected and more influential in the world. The government has taken measures to improve the relations with the neighboring countries, and to establish friendly relations with the great powers. The country is in a position to play an important role in the affairs of the world.