

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 751

6
7 H.P. 603

House of Representatives, February 15, 1983

8 On Motion of Representative Brannigan of Portland referred to the Com-
9 mittee on Judiciary. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Soule of Westport.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Exempt Clustered Single
18 Family Subdivisions from the Maine
19 Condominium Act.
20

21 Be it enacted by the People of the State of Maine as
22 follows:

23 33 MRSA §1601-103, ¶(7), as enacted by PL 1981,
24 c. 699, is amended to read:

25 (7) "Condominium" means real estate, portions of
26 which are designated for separate ownership and the
27 remainder of which is designated for common ownership
28 solely by the owners of those portions under a decla-
29 ration, or an amendment to a declaration, duly
30 recorded pursuant to this Act. Real estate is not a
31 condominium unless the undivided interests in the
32 common elements are vested in the unit owners. Any
33 real estate development consisting exclusively of
34 clustered, detached, single family residences is not

1 a condominium, unless so designated in the declara-
2 tion;

3 STATEMENT OF FACT

4 There is confusion as to whether clustered,
5 detached, single family residence developments are
6 subject to the Maine Condominium Act. There is also
7 concern that subjecting this form of development to
8 the Maine Condominium Act is unnecessarily
9 duplicative of existing municipal regulation and dis-
10 courages developers from using this desirable and
11 flexible approach to development. This bill specifi-
12 cally excludes clustered, detached, single family
13 residence developments from the provisions of the
14 Act.

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